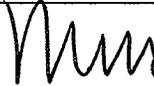


**REPORT TO THE
PLANNING COMMISSION**

COMMISSION ITEM NO.
COMMISSION MEETING: 04/21/10

APPROVED BY

 (Executive Director)

DATE: April 21, 2010

FROM: Marlene Murphey, Executive Director

BY: David Martin, Project Manager

SUBJECT: Consider adopting a Resolution relating to the approval and adoption of the Proposed Amendments ("Plan Amendments" or "Amendments") to Nine (9) Redevelopment Plans in the Merger No. 1 Project comprised of the Central Business District, Chinatown Expanded, Convention Center, Fulton, Jefferson, Mariposa, South Van Ness Industrial, West Fresno I, and West Fresno II ("Constituent Project Areas" or "Constituent Redevelopment Plans") that does the following:

1. Finds that the proposed Amendments are consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65042.
2. Finds that the Final Subsequent Environmental Impact Report ("FSEIR") for the Merger No. 1 Project is in compliance with the provisions of the California Environmental Quality Act ("CEQA") and other applicable laws and regulations.
3. Recommends that the Fresno City ("City") Council ("Council") and Fresno Redevelopment Agency Board ("Agency Board" or "Board") certify the FSEIR for the Merger No. 1 Project.
4. Recommends that the Council and Agency Board consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger No. 1 Project.
5. Recommends that the City Council adopt by Ordinance the Proposed Merger No. 1 Redevelopment Plan Amendments.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution (Attachment "B") that does the

following:

1. Finds that the proposed Amendments are consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65042.
2. Finds that the FSEIR for the Merger No. 1 Project is in compliance with the provisions of CEQA and other applicable laws and regulations.
3. Recommends that the Council and Agency Board certify the FSEIR for the Merger No. 1 Project.
4. Recommends that the Council and Agency Board consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger No. 1 Project.
5. Recommends that the Council adopt by Ordinance the Proposed Merger No. 1 Redevelopment Plan Amendments.

EXECUTIVE SUMMARY

On July 29, 2008, the Council and Agency Board authorized staff to proceed with the public hearing process for consideration of Proposed Plan Amendments to the Constituent Redevelopment Plans in the Merger No 1 Project. Staff has worked with the Keyser Marston Associates, Inc. (KMA) to update the Constituent Redevelopment Plans for Merger No. 1. This included major plan amendments for updating the plan duration, debt incurrence, debt repayment, tax increment limit, eminent domain limit, and streamlining of the redevelopment land use plan, as necessary, for the Constituent Redevelopment Plans (see Location Map and Overview of Proposed Redevelopment Plan Amendments in Attachment "A").

On August 1, 2008, in accordance with noticing requirements of California Redevelopment Law (the "CRL") (Health and Safety Code §§ 33333.11(f) and 33543), copies of the proposed Plan Amendments (see Exhibit "A" to Resolution in Attachment "B") and the "Preliminary Report" (see Attachment "E") required by Health and Safety Code section 33333.11(e) (which contains the blight report, financial projections, Agency accomplishments, and reasons for extension of the Plan time and financial limits, etc.), and the Initial Study/Mitigated Negative Declaration (MND) documents were delivered to the Planning Commission.

After public review and comments regarding the MND, the Redevelopment Agency and the City of Fresno as Co-Lead Agencies determined that the preparation of a Subsequent Environmental Impact Report (SEIR) for the proposed Plan Amendments would better address the Plan Amendments' potential environmental effects on cultural resources, air quality, circulation, and noise. On July 16, 2009, the Notice of Preparation and Initial Study for the SEIR was transmitted to the Planning Commission. The Draft SEIR (DSEIR) is included in Attachment "D"

On January 29, 2010, the Notice of Availability for the SEIR was delivered to the Planning Commission in their packets, and at the February 3, 2010 Planning Commission Meeting, Agency staff delivered copies of the DSEIR to the Commission, along with a re-distribution of the Proposed

Amendments to Constituent Redevelopment Plans, and the Preliminary Report on the Proposed Amendments.

A new public notice of the April 21, 2010 Planning Commission Hearing was published in the Fresno Bee on Saturday April 3, 2010, and also mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas (see Attachment "F"). The public notices have also been mailed by certified return receipt to each of the affected taxing agencies in the Constituent Redevelopment Project Areas. Two Public Information Meetings were also held on Tuesday, April 6 and 13, 2010, at Fresno City Hall to provide information on the Plan Amendments and the public review process. Comment letters received are included in Attachments "C", "G", and "H". Letters of Support are included in Attachment "I".

Extensions to the plan time and financial limits for the Constituent Redevelopment Plans need to be undertaken in order to continue carrying out many of the revitalization efforts in downtown Fresno (i.e., Uptown, Fulton Corridor, Historic Chinatown, Jefferson Neighborhood, South Stadium, Old Armenian Town, Community Regional Medical Center, Warehouse Row, etc.).

BACKGROUND

On June 30, 1998, the Council adopted updates to the eight, then-existing Redevelopment Plans in the Merger No. 1 Area, and established new redevelopment plans for the Fulton Area and the South Van Ness Industrial Area. All ten redevelopment plans were included in a financial merger to provide the Agency with greater flexibility to focus its financial resources. As a result, the Agency has been better able to carry out a program of redevelopment and revitalization in the City's central core area on a comprehensive basis. Redevelopment projects and programs have been some of the key tools for implementing the goals and objectives for the City's core as envisioned in the Central Area Community Plan and with the Roosevelt Community Plan for the South Van Ness Industrial Area.

On January 14, 2009, the West Fresno III Redevelopment Plan, one of the original Redevelopment Plans comprising the Merger No.1 Project, expired. As a result, the West Fresno III Redevelopment Plan could no longer be considered for extension under CRL as part of the proposed Amendments. The elimination of this Project Area from the proposed Amendment package has no impact on the other Constituent Redevelopment Plan Amendments. The West Fresno III Project Area was only 34 acres in size, and had not generated any tax increment funds during the last 20 + years. The majority of the West Fresno III Project Area is devoted to a portion of the City of Fresno's Municipal Service Center and a portion of the State Freeway 180 ROW. There is only one privately-owned property, of approximately 3 to 5 acres, and it has been vacant for several years.

Amendments to the Constituent Redevelopment Plans are governed by two statutory schemes in the CRL, depending on when the original redevelopment plan was adopted. Constituent Redevelopment Plans adopted prior to 1994 are subject to the provisions of Senate Bill 211, passed in 2001. Senate Bill 211 allows a redevelopment agency to extend the deadlines, for up to 10 years, if certain requirements are met. The plan amendment must identify the significant remaining blight in a project area, the focusing of redevelopment activities to eradicating the remaining blight, focusing the use of the Agency's Low and Moderate Income Housing Funds to low and very low income families, and increasing the amount of property tax increment revenues that are set aside in the Low and Moderate Income Housing Fund from a 20% rate to a 30% rate. These requirements

are applicable to the proposed Amendments to seven of the Constituent Redevelopment Plans: Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, and West Fresno II.

Constituent Redevelopment Plans adopted after December 31, 1993, the Fulton and South Van Ness Redevelopment Plans, will continue to contribute Tax Increment Funds to the Low and Moderate Income Housing Fund at the 20% rate.

On July 29, 2008, the Council initiated procedures for the preparation of the Amendments and distribution of the Preliminary Report prepared by KMA (Attachment "E") and the Proposed Merger No. 1 Plan Amendments (Exhibit "A" to Resolution in Attachment "B") for the public review process.

As part of the process of amending the Constituent Redevelopment Plans, the CRL (Health and Safety Code 33000, *et. seq.*) requires preparation of a Preliminary Report that includes specific financial, and blighting conditions information, which must be provided to affected taxing entities, State officials (i.e., the California Department of Finance, and the California Department of Housing and Community Development), Planning Commission, project area committees (i.e., Chinatown Project Area Committee), as well as other interested persons and organizations.

After receiving public comments regarding the MND, the Agency and the City, acting as Co-Lead Agencies ("Lead Agency"), determined that a DSEIR should be prepared for the proposed Merger No. 1 Project to evaluate the potential environmental effects on cultural resources, air quality, circulation, and noise. On July 16, 2009, the Notice of Preparation and Initial Study for the DSEIR were transmitted to the Planning Commission.

On January 29, 2010, the Notice of Availability for the SEIR was delivered to the Commission in their packets, and at the February 3, 2010 Commission Meeting, Agency staff delivered copies of the DSEIR to the Planning Commission, along with a re-distribution of the proposed Amendments to the Nine Constituent Redevelopment Plans, and the Preliminary Report on the proposed Amendments.

Summary of Plan Amendments

Amend the time and financial limits for the Constituent Redevelopment Plans in Merger No. 1 as follows (see Summary Table of Time and Financial Limits Plan Amendments in Attachment "A" and the nine Individual Plan Amendments in Exhibit "A" to Resolution in Attachment "B" for details):

- Increase the tax increment limits for the Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I and West Fresno II Constituent Plans;
- Increase the time limit on the effectiveness of the plan by 10 years for all of the Constituent Plans except Fulton and South Van Ness Industrial;
- Increase the time limit to incur indebtedness by 10 years for the Fulton and South Van Ness Industrial Constituent Plans;
- Increase the time limits to receive tax increment and repay bonded indebtedness by 10

years for all of the Constituent Plans except Fulton and South Van Ness Industrial;

- Increase the time limit by 12 years on the Agency's authority to utilize eminent domain in all of the Constituent Plans, except that the Agency will not have the authority to acquire by use of eminent domain any property on which persons lawfully reside in the Central Business District, Fulton, Jefferson, Mariposa, and South Van Ness Constituent Plan Areas. In the Convention Center, Jefferson, and Mariposa Constituent Plan Areas, the time extension is applicable to selected parcels only (see Acquisition Maps in Exhibit "A" to Resolution in Attachment "B"); and
- "Streamlining Amendments" – Amend the language of each Plan, except for Chinatown Expanded and Convention Center Area Constituent Plans which have previously been amended, to ensure that the land use plan is consistent with the General Plan and any applicable specific or community plans, as those plans may be amended from time to time, for Central Business District, Jefferson, Mariposa, West Fresno I, West Fresno II, Fulton, and South Van Ness Industrial areas.

Consistency With The General Plan

To adopt the proposed Plan Amendments, the Council must first find that the Redevelopment Plans, as proposed for amendment, are consistent with the City's General Plan, including, but not limited to the General Plan Housing Element. The Council's finding is generally based on the Planning Commission's finding of consistency. All of the Constituent Redevelopment Plans have either identical land uses to the City's adopted General Plan/Community Plans/Specific Plans, or utilize the General Plan as the Land Use Plan for the Redevelopment Plan. This means they are in conformity with the City's General Plan and the applicable Community Plan (Central Area or Roosevelt), and any applicable Specific Plan. The purpose of the "streamlining" amendment in the proposed Amendments is to cause the land use element for seven of the Constituent Redevelopment Plans to be the City's General Plan and the relevant community and specific plans, as may be adopted or amended from time to time. The Chinatown Expanded and Convention Center Constituent Redevelopment Plans were previously amended to achieve this goal. It is the intent of the "streamlining" to not have to amend any of the Constituent Redevelopment Plans each time the General Plan, or one of the underlying community or specific plans, is amended. This provides for a more effective plan management process, and ensures conformity of the Redevelopment Plan with the City's General Plan on a continuous basis.

With respect to the General Plan Housing Element, the Agency's revitalization strategy is primarily intended to retain, rehabilitate, and improve as many of the existing buildings in the Constituent Redevelopment Project Areas in the Merger No. 1 as is feasible, and to provide for new housing infill opportunities. The majority of the Constituent Redevelopment Plans are planned for commercial, residential, mixed use housing, public, and industrial uses. However, it is contemplated that the eventual displacement of some of the housing units within the Constituent Redevelopment Project Areas could occur. This does not impact the General Plan Housing Element, as any low and moderate income housing units that may be destroyed or removed from the low and moderate income housing market will be relocated and/or replaced, either inside or outside the Merger No. 1 Project Area pursuant to all state and federal requirements. The Low and Moderate Income Housing funds generated from the Constituent Redevelopment Project Areas will be utilized to improve the community's supply of low and moderate income housing either within the Constituent

Redevelopment Project Areas or outside the Constituent Redevelopment Project Areas, with a priority on locations that are within or adjacent to the overall Central Area Community Plan and the South Van Ness Industrial Area portion of the Roosevelt Community Plan. It should be noted that the proposed Plan Amendments will involve an increase in the amount of Low and Moderate Income Housing funds from 20% to 30% of Gross Tax Increment funds for the following Constituent Redevelopment Project Areas: Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, and West Fresno II). The Fulton and South Van Ness Industrial Constituent Plan Areas will continue to contribute Low and Moderate Income Housing Funds at the current rate of 20% of Gross Tax Increment funds.

During the public review process for the SEIR, members of the public raised concerns that the Amendments were not consistent with the General Plan's policies regarding the protection of cultural resources. These comments have been addressed in detail in the Responses to Comments portion of the FSEIR (see Chapter 2 of FSEIR in Attachment "C"). There is no conflict between the proposed Amendments to the Constituent Redevelopment Plans, including the policies for acquisition of land, rehabilitation of existing buildings, site improvements, and assembly of buildable sites, and the General Plan policies for protection of cultural resources. The Redevelopment Agency does not issue building permits, approve entitlements (site plans, CUP's, Rezoning) or issue demolition permits, etc. The City of Fresno's responsibilities and discretion in the consideration and approval of all Planning and Development processes and entitlements within the Constituent Redevelopment Project Areas will not be affected or limited in any way by the Proposed Amendments.

Considering the Merger No. 1 Redevelopment Plans, as proposed for amendment, and the above information, it can be found that the Constituent Redevelopment Plans, as proposed for amendment are consistent with and therefore conform to the General Plan, including, but not limited to, the Housing Element. Furthermore, the location, purpose and extent of any real property to be acquired under the authority of the proposed Amendments by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Constituent Project Areas are in accordance with the City's General Plan, consistent with Government Code section 65402.

Environmental Assessment

Environmental Assessment of the Merger No. 1 Project has been completed in compliance with the California Environmental Quality Act (CEQA) to identify and evaluate environmental effects of the proposed Amendments to the Constituent Redevelopment Plans in the Merger No. 1 Project. No site specific redevelopment projects have been identified. The proposed Amendments only extend time limits and funding limits for the previously adopted Constituent Redevelopment Plans, and extend the Agency's eminent domain authority over the entire Chinatown Project Area. The proposed Amendments will allow future development in accordance with the City's 2025 General Plan and relevant community and specific plans, and as they are amended from time to time.

On July 16, 2009, the Lead Agency transmitted the Notice of Preparation and the Initial Study for the DSEIR to the Planning Commission pursuant to CEQA Guidelines Section 15082 and Public Resources Code section 21080.4. On January 29, 2010, the Lead Agency provided the Notice of Availability ("NOA") and the DSEIR to the Planning Commission. On February 2, 2010, the Lead Agency published the NOA for the DSEIR in the Fresno Bee and transmitted it to the State

Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087, and made the DSEIR available to the public for review. On March 19, 2010, the Lead Agency closed the public comment period following a 45 day period where the public was given the opportunity to comment in writing on the adequacy of the DSEIR. The DSEIR is included in Attachment "D"

Prior to the close of the public review period on March 19, 2010, the Lead Agency received four comment letters, three emails and one memorandum from government agencies and private parties. The Lead Agency also received two comment letters after the close of the public review period. The Governor's Office of Planning and Research also sent a letter that states that their office did not receive any comments during the public review period and that the Lead Agency has complied with the draft environmental review requirements pursuant to CEQA. Public testimony regarding the DSEIR was taken during the February 22, 2010 and March 22, 2010 City's Historic Preservation Commission ("HPC") meetings. The public's concerns were considered by the HPC during the preparation of their formal comments on the DSEIR, submitted by letter

The Lead Agency subsequently prepared responses to all of the aforementioned comments for inclusion in the FSEIR, in accordance with Section 15088 of the State CEQA Guidelines. In addition to comments received regarding the conformity of the proposed Amendments with the General Plan (as discussed above), several of the comments questioned the adequacy of the environmental analysis of the potential impacts of the Merger No. 1 Project on cultural resources. As set forth in the Responses to Comments A (Jeanette Jurkovich), C (Isaac Weil) and F (HPC) in Chapter 2 of the FSEIR in Attachment "C", the FSEIR provides an adequate assessment of the potential impacts on cultural resources. A detailed discussion of these issues is addressed in Responses to Comments A.c-2. Additional information addressing the specific concerns raised by each comment is found in response to each specific comment. Comment E (California Public Utilities Commission) raised concerns regarding traffic and rail crossing related issues. Such issues have been adequately assessed in the FSEIR. Finally, Comment H requested certain text additions to the DSEIR related to the air quality analysis, which did not change the significance determinations in the FSEIR. These requested additions requested in Comment H were included in the FSEIR as the "Errata to DSEIR," and addressed in further detail in Response to Comment H.

The FSEIR is an adequate assessment of the potentially significant environmental impacts of the Merger No. 1 Project and has been completed in compliance with CEQA. The FSEIR sets forth a reasonable range of alternatives to the Merger No. 1 Project. However, the FSEIR indicates that the Merger No. 1 Project may result in significant, unavoidable air quality, historical resources and noise impacts. Public Resources Code section 21081 and the provisions of section 15091 of the CEQA Guidelines, require that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment unless " . the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the environment." (Pub. Resources Code § 21081(b).) Therefore, after certification of the FSEIR, the Lead Agency should adopt an appropriate statement of overriding considerations if it wishes to move forward with the Project, before subsequently approving the proposed Amendments to the Constituent Redevelopment Plans in Merger No. 1 Project.

Public Review Process

In addition to the public comment received as part of the Environmental Review process described

above, Agency staff has met with a variety of committees and groups regarding the proposed Plan Amendments. In 2008 this included: the Fresno Revitalization Corporation on September 3, 2008, the Fulton-Lowell Specific Plan Implementation Committee on September 9, and 15, 2008, and the Council District 3 Plan Implementation Committee on September 15, 2008. The majority of questions and concerns from these bodies involved the land acquisition/condemnation process, what the basis was for increasing the time and financial limits, particularly the total tax increment accumulation limit, what types of future project activities would be carried-out, and why certain properties were shown as blighted or un-blighted. All of these bodies recommended approval of the proposed Plan Amendments.

On August 25, 2008 and on September 22, 2008 meetings were held with the Historic Preservation Commission in regard to their review of the MND, further information regarding the Historic Preservation Commission is described above in the Environmental Analysis section.

Two public information meetings were held in 2008 pursuant to the initial public notice of a Planning Commission Hearing scheduled for October 15, 2008. The Notice had been published in the Fresno Bee on September 20, 2008, mailed by first class mail to all property owners, residents, and businesses in the (then) 10 Project Areas, and mailed by certified return receipt to each of the affected taxing agencies in the (then) 10 Project Areas.

On August 28, 2008, the Chinatown Project Area Committee (PAC) met regarding their review of the Chinatown Expanded Redevelopment Plan Amendments, and recommended approval of the Proposed Redevelopment Plan Amendments for the Chinatown Expanded Redevelopment Project Area.

On September 30, 2008, the first of the 2008 public information meetings was held at the Fresno Betsuin Temple's Community Meeting Room, in Chinatown. The second of the 2008 public information meetings was held on October 6, 2008 at the Yokami Elementary School's Cafeteria in the Jefferson Area. At both meetings Agency staff, and KMA, the Agency's redevelopment consultant, provided an overview of the plan amendment process, an overview of the proposed changes to the Redevelopment Plans, as well as the public review process involving the Planning Commission, the Housing and Community Development Commission, and a Joint Public Hearing of the Fresno City Council and Agency Board that had been scheduled for December 9, 2008.

The Agency received one objection on September 30, 2008, from Roger Jon Diamond representing Fresno Property Management, LLC (the owner of 1535 Fresno Street) New Wildcat Fresno, LLC (the tenant in the building), and Rosalie Tapper regarding the Proposed Amendments (see Attachment "H"). His letter asked what effect the adoption of the Proposed 2008 Amendments to the Constituent Redevelopment Plans would have on his client's property and business in the West Fresno I Redevelopment Project Area, and stated their objection to the adoption of the proposed Plan Amendments.

On February 22, and March 22, 2010, meetings were held with the Historic Preservation Commission in regard to the review of the DSEIR. Further information regarding the Historic Preservation Commission is described above in the Environmental Analysis section, and contained in Chapter 2 of the FSEIR in Attachment "C"

Two public information meetings were held in 2010, pursuant to a new public notice for the April 21, 2010 Planning Commission Hearing that was published in the Fresno Bee on Saturday April 3, 2010. The Notice was also mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas (see Attachment "F"). The public notices were also mailed by certified return receipt to each of the affected taxing agencies in the Constituent Redevelopment Project Areas.

On Tuesday, April 6, 2010 and on Tuesday, April 13, 2010, public information meetings were held in the Council Chambers at Fresno City Hall. Approximately 25 people were in attendance at the April 6th Meeting and 7 people were in attendance at the April 12th Meeting. Spanish translation services were made available at both public information meetings. At both public information meetings, Agency staff and KMA, the Agency's redevelopment consultant, provided an overview of redevelopment activities in the Merger No. 1 Area, reasons why the proposed updates of the redevelopment plans are necessary, an overview of the public review process and an overview of the proposed changes to the Redevelopment Plans. Staff informed attendees of the scheduled meetings for review of the Plan Amendments by the Planning Commission, the Housing and Community Development Commission, and the proposed date for the Joint Public Hearing of the Fresno City Council and Agency Board on June 24, 2010. Agency staff and KMA responded to questions from the audience. The public's questions were about the homeless encampments and their impacts on Downtown revitalization; when improvements to the rest of Downtown's neighborhoods and business districts will be addressed; the property acquisition/condemnation process; possible benefits to property owners, businesses, and residents; status of Exclusive Negotiation Agreements in the South Stadium Project and Historic Chinatown; status of the use of low and moderate income funds; and other City issues outside the jurisdiction of the Agency.

On April 15, 2010, the Chinatown Project Area Committee (PAC) met regarding their review of the Chinatown Expanded Redevelopment Plan Amendments, and by a 5-0 vote re-affirmed their previous recommendation from 2008.

Merger No. 1 Taxing Entities

Pursuant to CRL requirements as discussed above, in 2008 the Agency sent the Preliminary Report to all of the taxing entities regarding the Plan Amendments to the Constituent Redevelopment Plans in Merger No. 1, and offered to participate in consultation meetings to discuss the Plan Amendments and how they would relate to a taxing entity

Fresno County

Agency staff received written comments on the proposed Amendments from the Administrative Office of the County of Fresno (CAO) and met in a consultation meeting with a representative of the CAO on September 24, 2008. KMA, the Agency's redevelopment consultant participated in the meeting by telephone. The County identified concerns with regard to the Preliminary Report and the proposed Plan Amendments (see Fresno County Letters, Attachment "G"). The concerns raised by the CAO fall into three broad categories: 1) the size of the proposed tax increment cap increases; 2) the assumptions used in the financial feasibility analysis; and 3) the findings in the blight analysis. (see attached letters and response letters)

Fresno County Library

On September 8, 2008, the Agency met in a consultation meeting with Karen Bosch-Cobb, Fresno County Librarian, and a representative from the County Planning staff. KMA, the Agency's

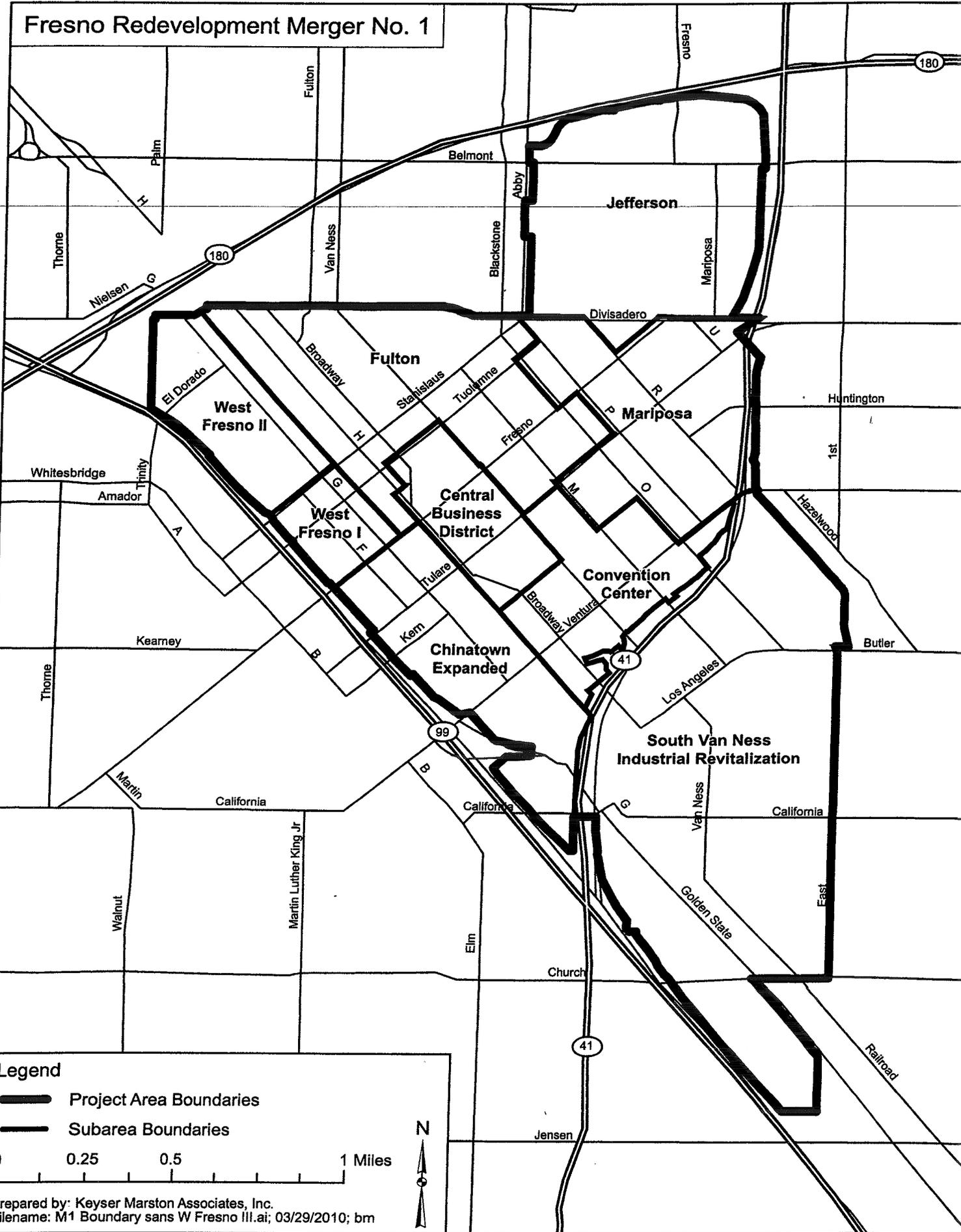
redevelopment consultant participated in the meeting by telephone. Agency staff provided an overview of the proposed Amendments and discussed the relationship of the proposed Amendments and Agency activities in the vicinity of the existing Fresno County Downtown Main Library on Mariposa Street between "N" and "O" Streets and the proposed new Downtown Library facility in the area bounded by San Joaquin-Fulton-Calaveras-Broadway. Staff indicated that both sites were in the Fulton Redevelopment Project Area, and that the proposed Plan Amendments would enable the Agency to continue to address blight issues and revitalization efforts that are critical to continue the momentum of the Agency's work program in the vicinity of their sites and the overall Downtown area. At the conclusion of the meeting the County Librarian indicated their support for the proposed Plan Amendments as described by Agency staff.

Attachments:

- "A". Location Map and Overview of Proposed Redevelopment Plan Amendments
- "B" Proposed Planning Commission Resolution
Exhibit "A" Proposed Merger No. 1 Redevelopment Plan Amendments
- "C" Final Subsequent Environmental Impact Report
Chapter 2 – Comments Received and Responses to Comments
Chapter 3 – Errata to the DSEIR
- "D" Draft Subsequent Environmental Impact Report (Planning Commission Packets only)
- "E" Preliminary Report for Merger No. 1 Plan Amendments (Planning Commission Packets only)
- "F" April 23, 2010 Public Hearing Notice for Merger No. 1 Plan Amendments
- "G" September 24, 2008, and October 31, 2008, Letters from Fresno County CAO
April 2, 2010, Agency Response Letter to Fresno County
- "H" September 30, 2008, Letter from Roger Jon Diamond
- "I" Letters of Support for Merger No. 1 Plan Amendments

**LOCATION MAP AND
OVERVIEW OF PROPOSED MERGER NO. 1
REDEVELOPMENT PLAN AMENDMENTS**

Fresno Redevelopment Merger No. 1



Legend

- Project Area Boundaries** (thick black line)
- Subarea Boundaries** (thin black line)

0 0.25 0.5 1 Miles

Prepared by: Keyser Marston Associates, Inc.
 Filename: M1 Boundary sans W Fresno III.ai; 03/29/2010; bm

OVERVIEW

MERGER NO. 1 REDEVELOPMENT PLAN AMENDMENTS

What is the Agency's Mission for Revitalization of Downtown?

- The comprehensive revitalization of Fresno's downtown including its inner city neighborhoods, business districts and civic areas, with the cooperation of local residents, businesses, community-based organizations and civic leaders. Collectively, we share a vision of a vital, thriving City for today and future generations.

What are the Merger No. 2 Plan Updates?

- The Agency is in the process of updating the nine Redevelopment Plans for Merger No. 1, which is comprised of the Central Business District, Chinatown Expanded, Convention Center, Fulton, Jefferson, Mariposa, South Van Ness Industrial, West Fresno I, and West Fresno II Redevelopment Project Areas.
- The Project Area encompasses approximately 1,860 acres, the majority of the City of Fresno's core or "Central Area" as defined in the City of Fresno 1989 Central Area Community Plan, and a portion of Southeast Fresno as defined in the City of Fresno 1992 Roosevelt Community Plan.
- In order to carry-out the revitalization efforts in downtown Fresno and to continue eliminating blight within the Merger No. 1 Project Areas, updates must be adopted to the nine Redevelopment Plans (see attached Table of Proposed Amendments):
 - Extend the specific time and financial limits in order to continue funding projects in the area
 - Extend the plan duration to allow additional time to fund and complete projects
 - Extend the time limit on the Agency's authority to use eminent domain in all of the constituent Plans and adding specified properties in the Chinatown Expanded Area, but not those properties on which persons lawfully reside in the Central Business District, Fulton, Jefferson, Mariposa, and South Van Ness constituent Plan Areas.
 - Streamline the redevelopment land use plan by removing obsolete information and to match the City's General Plan, community plans, and specific plans

Why Must These Plans be updated?

- There are a significant number of deteriorated and dilapidated and unsafe properties, numerous vacant lots, and vacant buildings in need of redevelopment (see Attached Remaining Blight Maps).
- Thirty-four per cent (34%) of the buildings are either deteriorated or dilapidated. There are 131 unreinforced masonry buildings within the Project Area, 59% of which are deteriorated and dilapidated. Combined

these conditions affect 36% of the properties in the Project Area. There are 119 substandard buildings and 53 obsolete buildings in the Project Area, affecting 144 or 5% of the total properties in the Project Area.

- Over the nine-year period from 1997-98 and 2006-07, the Chinatown Expanded, West Fresno II, and South Van Ness industrial areas all experienced stagnant or declining assessed property values. These three areas represent 47% of the total acreage and 34% of the total parcels of the Project Area. Lease rates for Class B office space in the Project Area is 19% below the average for the balance of the City, and the lease rates for industrial property is 28% below the normal for the rest of the City
- A total of 108 vacant buildings in the Project Area affect 4% of properties in the Project Area. There were 501 vacant lots representing 18% of the parcels in the Project Area. Six % of the vacant lots have been vacant for 15 years or more.
- In the Project Area, 37% of housing units are overcrowded, vs. only 17% for the City as a whole. Annual median sales prices for single-family homes were below median sales prices for the balance of the City, both on a sales price and on a sales price-per-square-foot basis.
- From 1998 through 2006, the Project Area has a violent crime rate that was more than 3.5 times higher than the City as a whole, and a property crime rate that was 1.6 times higher

What has been accomplished in the last ten years?

- Since 1998, downtown Fresno has seen over \$1 billion in new construction. The City and the Agency, and the private sector acting with and without Agency assistance, have been able to redevelop many blighted properties in the Project Area. The Agency has played a direct as well as a supportive role in many of the projects (see Attached Photos).
- Of the building permits issued over the past 12+ years, the Agency has been involved in 72 percent of the permitted activity (based upon total permit value). The Agency assembled and cleared sites, and/or provided financial incentives for many of the signature projects, including the development of Chukchansi Park, the Regional Medical Center expansion, the Convention Center Exhibit Hall, the new Federal Courthouse, the new Fifth District Court of Appeals, the IRS Compliance Center, the Cesar Chavez Adult Education Complex, and the Guarantee Building rehabilitation and new garage construction.
- Without Agency assistance, many of these and other projects would not have been feasible. Assembling and clearing sites for development is time consuming and costly for the private sector, and there is even less incentive for the private sector to take on such endeavors in areas that are perceived to be blighted. The Agency, through the use of redevelopment tools, is able to shoulder the time and cost burden of site assemblage, and provide other assistance such as marketing, infrastructure development, and financial assistance to encourage

property owners to reinvest and attract new development. Without such Agency assistance, it is unlikely that the City or the private sector acting alone will be able to complete the redevelopment of the Project Area.

- If the current time and financial limits are not extended as proposed, tax increment revenues will decline significantly, and the Agency will not be able to continue its present levels of activity to alleviate blighting conditions in the Project Area.
- The time limits for the Central Business District, the Chinatown Original, Mariposa, West Fresno I and West Fresno II areas will be reached in 2012. These areas currently account for approximately 56 percent of the tax increment revenues to the Agency for projects and programs. After 2012 the Agency's tax increment will be less than half of its current tax increment. At the same time, there are a significant number of deteriorated and dilapidated and unsafe properties, numerous vacant lots, and vacant buildings in need of redevelopment.

What tools does the Agency have to do its job?

The Agency leverages its tax increment funding in many public/private partnerships to improve the physical, economic, and social well-being of the City, by conducting the following activities:

Public Improvements -- Upgrade aging public infrastructure and implement streetscape and beautification projects, including:

- Street improvements, including repair and construction
- Rail route and crossing safety improvements
- Traffic signal and safety lighting improvements associated with plan implementation
- Utility undergrounding, installation and relocation
- Parking lots and parking structure improvements to support implementation of plans
- Open space, recreation and park improvements
- Assist with public building improvements, including site work, construction, parking, landscaping
- Historic preservation, including establishing historic districts and providing incentives for the restoration and rehabilitation of historic structures

Land Assembly -- Create sites large enough for modern development to contemporary standards, including:

- Expansion of existing businesses
- Development of mixed-use/residential projects
- The RDA may acquire properties, including vacant and improved properties by negotiated purchase, eminent domain (where allowed), or other methods.

Business Revitalization and Attraction -- Provide incentives for businesses to remain in or re-locate to the Project Area, including:

- Expansion of existing facilities
- Encourage new business establishments

- Development fee reductions
- Installation of support services
- Marketing
- Façade improvement
- Commercial rehabilitation loan program

Discretionary Programs – When funding is available, assist other efforts that will contribute to the alleviation of blighting conditions in the Project Area, such as owner participation, business expansion assistance, revitalization, business attraction, and marketing to the extent permitted by law.

Housing Programs – The RDA has two primary housing programs to serve the goals and policies of the Redevelopment Plan:

- Community Housing Partnership Program with the Housing Authorities of the City and County of Fresno
 - Focus on minor and major rehabilitation of owner occupied housing
 - Construction of new infill ownership housing
 - Acquisition and major rehabilitation of boarded up and distressed single-family homes
- Assemblage of real property assets for:
 - Development of housing and the provision of gap financing for new housing construction
 - Rehabilitation of existing multiple-family housing

Public/Private Partnerships

Fifth District Court of Appeals



Federal Courthouse

IRS Compliance Center

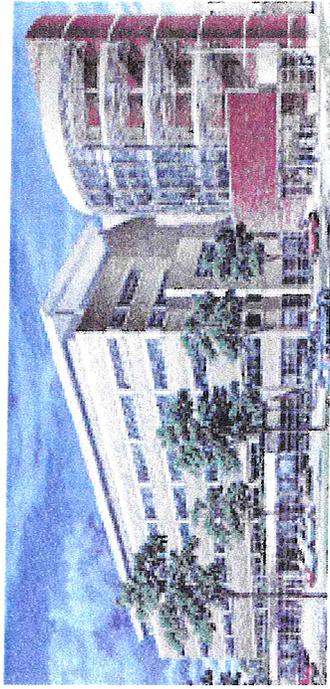
Public/Private Partnerships



**Convention Center
Parking Garage Expansion**



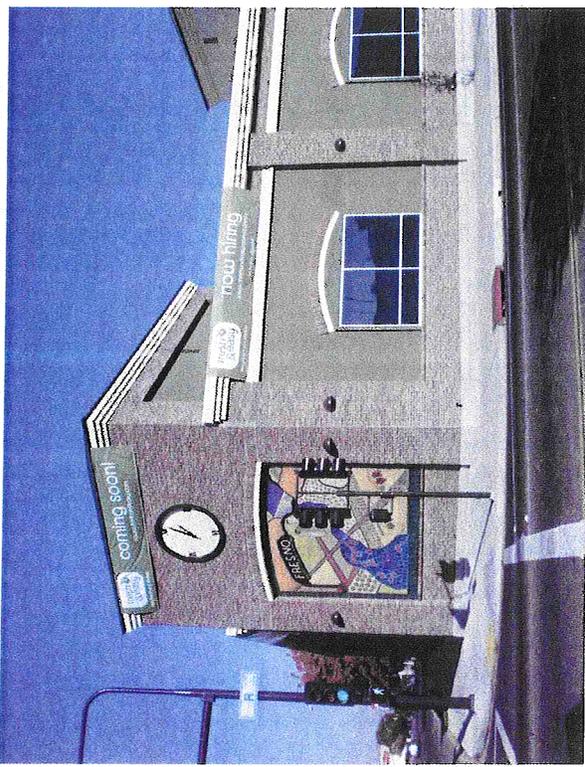
Chukchansi Park



RMC Facilities and Medical Offices

Neighborhood/Community Facilities

Fresh & Easy Market



Preserve/Re-use Existing Buildings



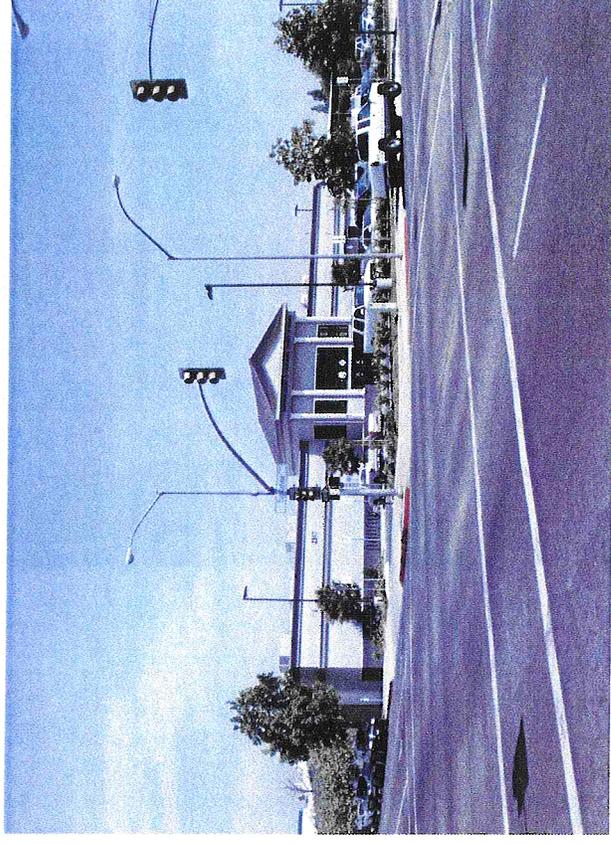
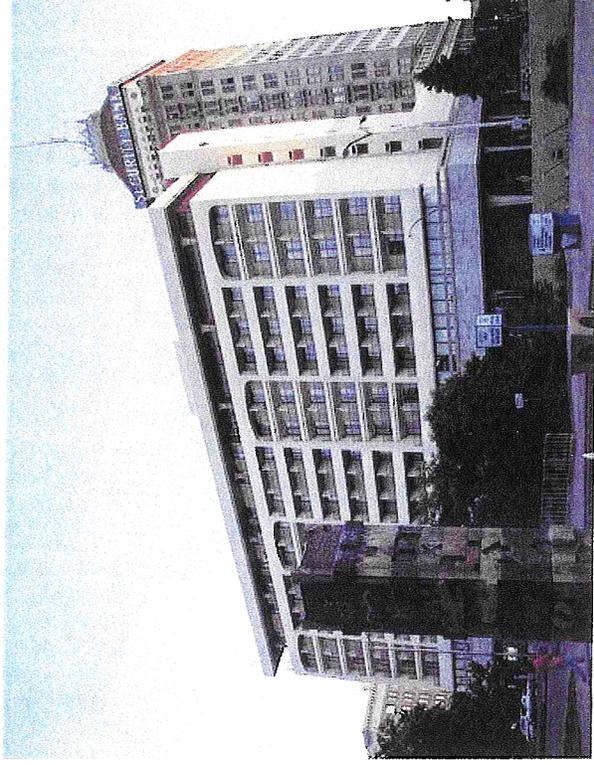
**Hobbs Parson Building
(Fresno Fire Dept. HQ)**



Austin's Downtown Grill & Sports Bar

Preserve/Re-use Existing Buildings

M Street Courthouse

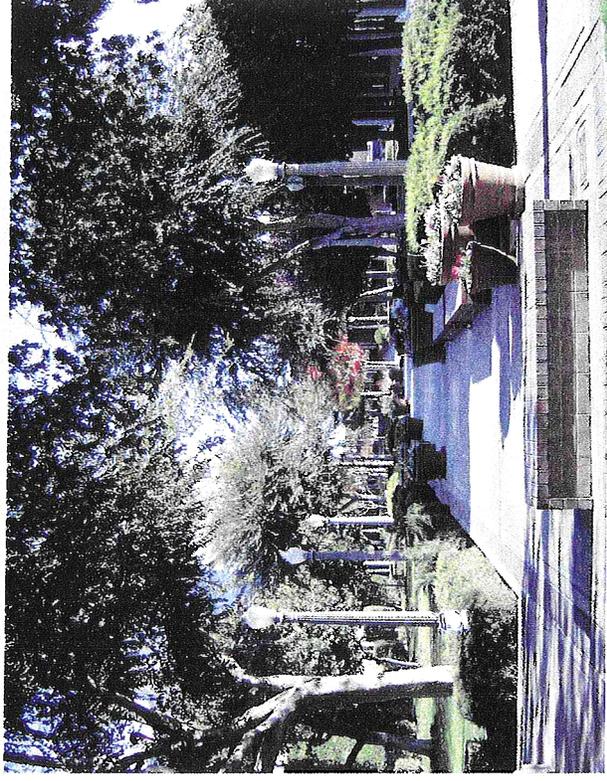


Holiday Inn Renovation

Streetscape/Public Improvements



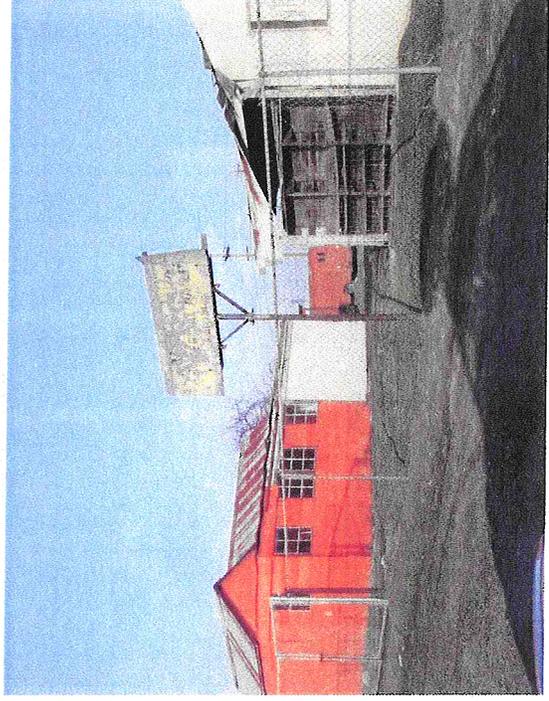
Fulton Area Streetscape



**Civic Center Square
Public Amenities**

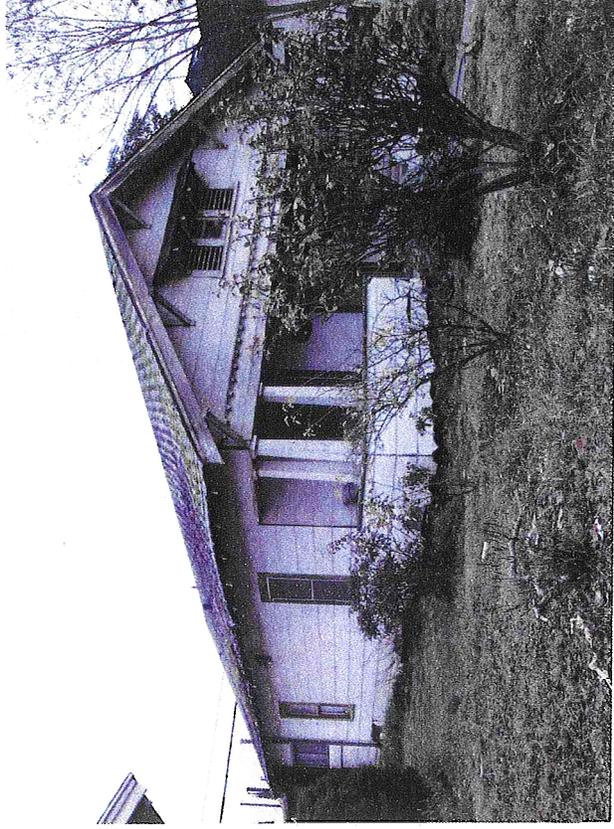
What Redevelopment Can Do

- Opportunities to Attract New Businesses and Jobs



What Redevelopment Can Do

- Help homeowners and property owners rehab/improve their properties



**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Use Eminent Domain		Tax Increment Limit		Plan Expiration Date		Time Limit to Receive Tax Increment/ Repay Debt	
	Existing	Proposed ¹	Existing	Proposed	Existing ²	Proposed	Existing	Proposed
Central Business District (3/16/1961)	8/6/2010	+12 years ⁴	\$16 million	\$128 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Original (Former WFRP) (7/22/1965)	8/6/2010	+12 years	See note 3		1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Expanded (01/28/1986)	8/6/2010	+12 years	\$32 million	\$128 million	1/28/2028	1/28/2038	1/28/2038	1/28/2048
Convention Center (1/12/1982)	8/6/2010 11/24/2017 ⁷	+12 years ⁶ No Change	\$51 million	\$357 million	1/12/2025	1/12/2035	1/13/2035	1/12/2045
Fulton (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
Jefferson (12/18/1984)	1/18/2009	+12 years ⁵	\$235 million	\$470 million	12/18/2027	12/18/2037	12/18/2037	12/18/2047
Mariposa (1/14/1969)	8/6/2010	+12 years ⁵	\$50 million	\$150 million	1/14/2012	1/14/2022	1/14/2022	1/14/2032
South Van Ness Industrial (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
West Fresno I (10/1/1964)	8/6/2010	+12 years	\$9 million	\$27 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno II (12/19/1963)	8/6/2010	+12 years	\$60 million	\$120 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno III (1/14/1969)	8/6/2010	+12 years	\$ 8 million	No Change	1/14/2009	1/14/2019	1/15/2019	1/14/2029

NOTES

¹New time limit will be 12 years from effective date of ordinance adopting the Amendment.

²Includes ERAF extensions.

³Tax increment limit is for Chinatown Original and Chinatown Expanded combined.

⁴Legally-occupied housing units will not be subject to acquisition by eminent domain.

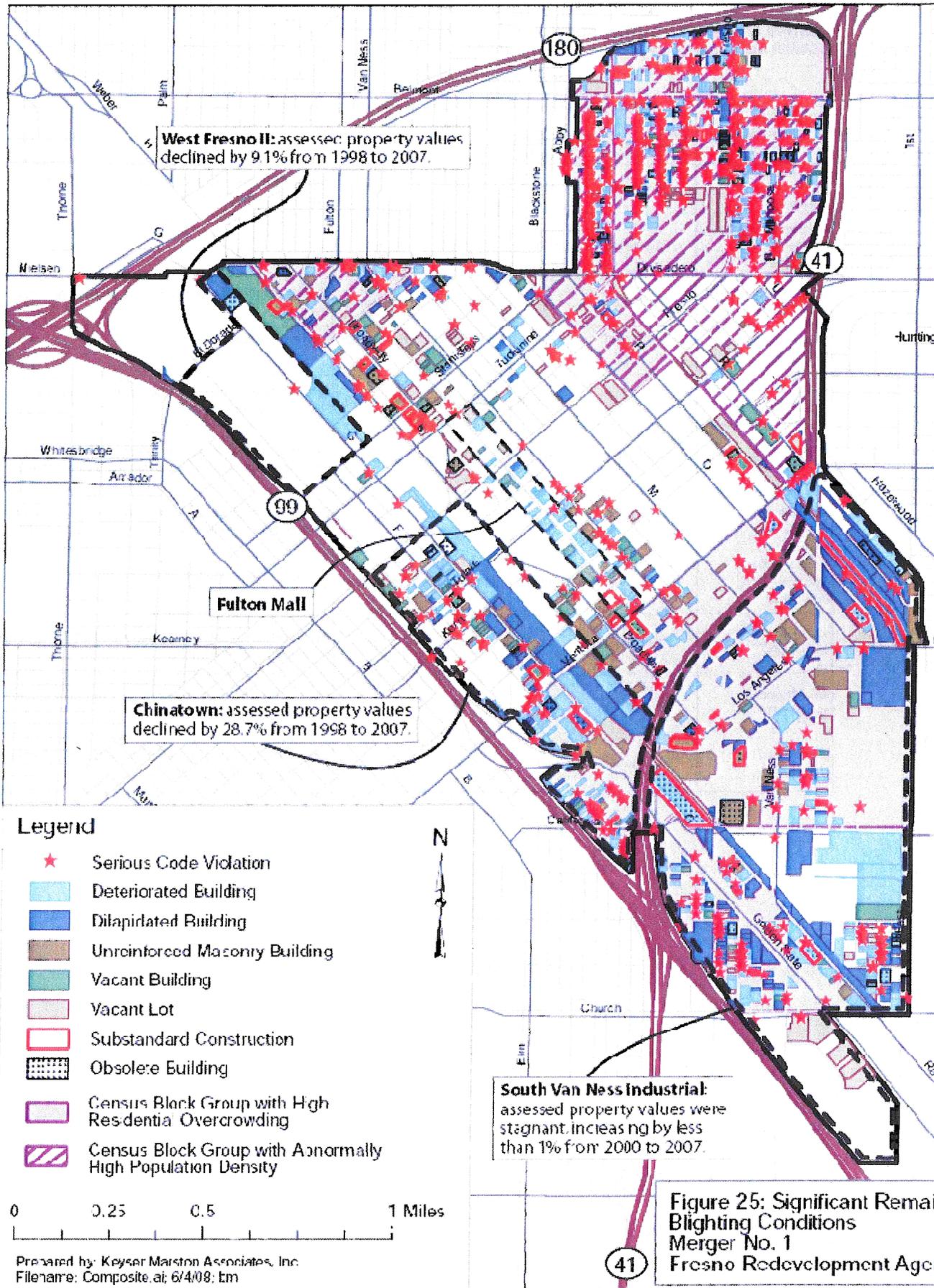
⁵Applicable to specific properties only. Legally-occupied housing units will not be subject to acquisition by eminent domain.

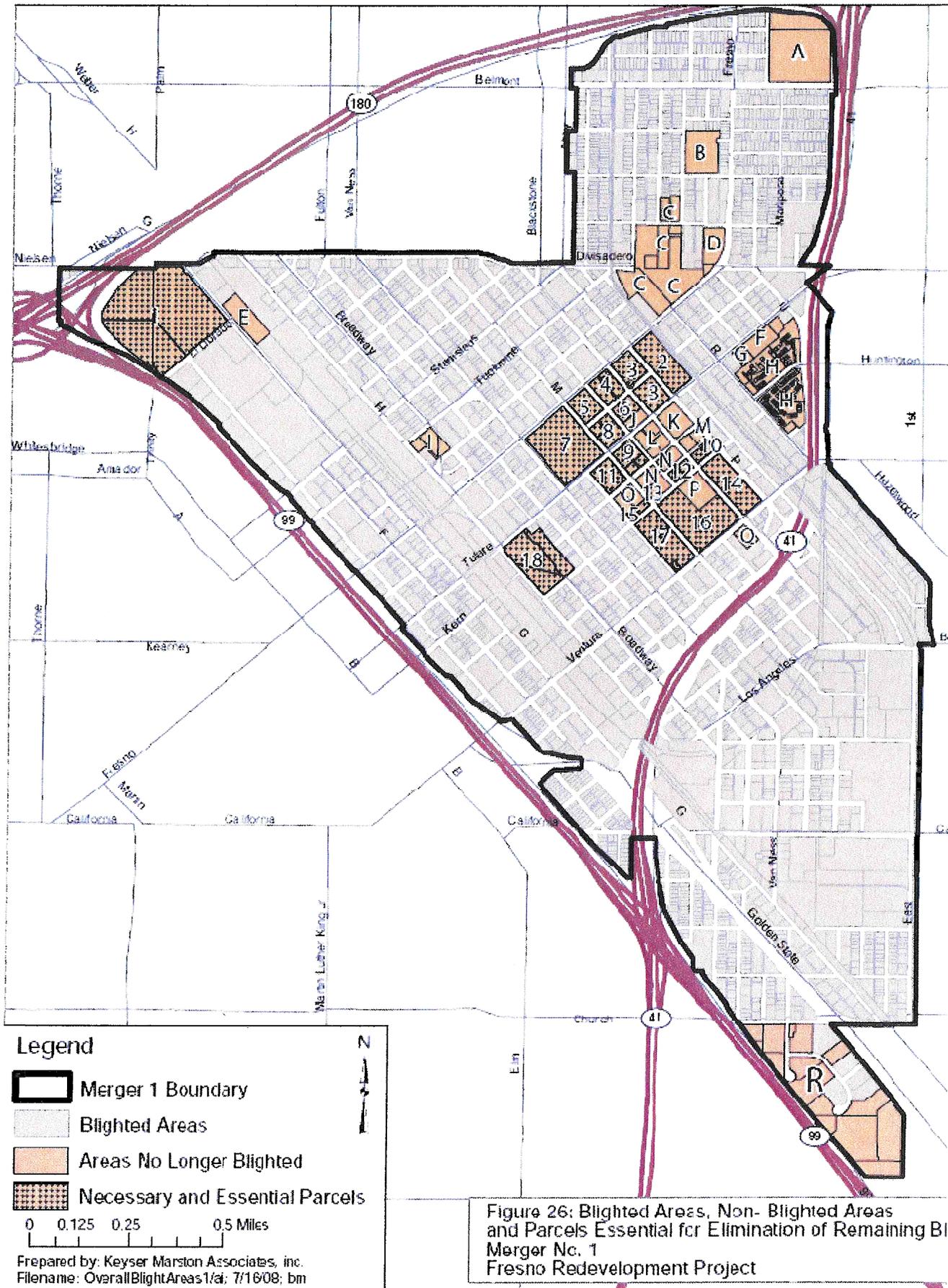
⁶Applicable to specific properties only. 12 year extension for specific properties only. See Proposed Acquisition Map Update for Details.

⁷Applicable to specific properties where the 12 year extension was adopted in 2005. See Proposed Acquisition Map Update for Details.

**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Establish Debt		Bond Debt Limit		Land Use/Other Amendments
	Existing	Proposed	Existing	Proposed	
Central Business District (3/16/1961)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
Chinatown Original (Former WFRP) (7/22/1965)	Eliminated	NA	NA	NA	
Chinatown Expanded (01/28/1986)	Eliminated	NA	\$16 million	No Change	Revise acquisition map to include balance of Project Area.
Convention Center (1/12/1982)	Eliminated	NA	\$21 million	No Change	Revise acquisition map.
Fulton (6/30/1998)	7/6/2018	7/6/2028	\$32 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
Jefferson (12/18/1984)	Eliminated	NA	\$99 million	No Change	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
Mariposa (1/14/1969)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
South Van Ness Industrial (6/30/1998)	7/6/2018	7/6/2028	\$111 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
West Fresno I (10/1/1964)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno II (12/19/1963)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno III (1/14/1969)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.





ATTACHMENT "B"

PLANNING COMMISSION RESOLUTION

EXHIBIT "A" -- PROPOSED MERGER NO. 1

REDEVELOPMENT PLAN AMENDMENTS

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. _____**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FRESNO MAKING ITS REPORT AND RECOMMENDATION ON THE
2010 PROPOSED AMENDMENTS TO THE FRESNO MERGER NO. I
REDEVELOPMENT PLAN AND MAKING CERTAIN FINDINGS
REGARDING CONFORMITY OF PROPOSED AMENDMENTS TO
GENERAL PLAN AND ADEQUACY OF THE FINAL SUBSEQUENT
ENVIRONMENTAL IMPACT REPORT**

WHEREAS, the Redevelopment Agency of the City of Fresno (“Agency”) is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, (“CRL”) and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the Council (“Council”) of the City of Fresno (“City”); and

WHEREAS, on July 29, 2008, the Council initiated the plan amendment process and authorized the preparation of the proposed Fresno Merger No. 1 Redevelopment Project Amendments (a summary form of which is attached hereto as Exhibit “A” and the full text of which is attached as Exhibit “B,” and which are referred to herein as “Amendments”), which encompass separate redevelopment project areas, including the Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, West Fresno II, Fulton and South Van Ness Industrial (“Constituent Redevelopment Areas,” each of which is more specifically defined below), each of which has its own redevelopment plans (“Constituent Redevelopment Plans”); and

WHEREAS, the amendment process initiated on July 29, 2008, also included proposed amendment to the West Fresno III Redevelopment Project Area, but on January 14, 2009, the Redevelopment Plan for the West Fresno III Redevelopment Project Area expired and could not be extended and therefore has been removed from the Amendments; and

WHEREAS, the City and Agency, acting as co-lead agencies (“Lead Agency”) under the California Environmental Quality Act (“CEQA”) have prepared a Final Subsequent Environmental Impact Report (“FSEIR”) to the existing 1998 environmental impact report (“1998 EIR”) for the Fresno Merger No. 1 Redevelopment Plan relating to and assessing environmental effects related to the Merger No. 1 Amendments (“Project”) and the FSEIR is inclusive of the Draft Subsequent Environmental Impact Report (“DSEIR”) dated February 2, 2010; and

WHEREAS, on March 16, 1961, by Ordinance No. 5891, the Council adopted a redevelopment plan entitled the Central Business District Project One Urban Renewal Plan (“Central Business District”) and subsequently amended the Central Business District Plan sixteen (16) times through the following Ordinances: 6282 adopted on April 18, 1963, 6316 adopted on August 1, 1963, 6596 adopted on March 25, 1965, 6923 adopted on December 1,

1966, 67-35 adopted on June 1, 1967, 67-76 adopted on August 2, 1967, 69-06 adopted on January 9, 1969, 73-19 adopted on January 11, 1973, 73-159 adopted on October 25, 1973, 78-41 adopted on March 21, 1978, 86-199 adopted on December 16, 1986, 94-32 adopted on May 3, 1994, 94-115 adopted on December 6, 1994, 98-44 adopted on July 6, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on July 22, 1965, by Ordinance No. 6663, the Council adopted a redevelopment plan for the West Fresno Business District Rehabilitation Project (Original Project Area) ("Chinatown Expanded"), and subsequently amended the Chinatown Expanded Plan six (6) times through the following Ordinances: 86-13 adopted on January 28, 1986 [adding territory to the Original Project Area (Added Area) and renaming the Project Area as amended to add territory as the Chinatown Expanded Community Redevelopment Plan], 94-116 adopted on December 6, 1994, 98-45 adopted on July 6, 1998, 2006-40 adopted on April 17, 2006, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on January 12, 1982, by Ordinance No. 82-6, the Council adopted a redevelopment plan for the Convention Center Redevelopment Project Area ("Convention Center") and subsequently amended the Convention Center Plan five (5) times through the following Ordinances: 94-118 adopted on December 6, 1994, 98-46 adopted on July 6, 1998, 2005-120 adopted on October 24, 2005, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on July 6, 1998, by Ordinance No. 98-42, the Council adopted a redevelopment plan for the Fulton Redevelopment Project ("Fulton"), and subsequently amended the Fulton Plan one (1) time by way of Ordinance 2008-9 adopted on February 26, 2008; and

WHEREAS, on December 18, 1984, by Ordinance No. 84-182, the Council adopted a redevelopment plan for the Jefferson Area Project ("Jefferson") and subsequently amended the Jefferson Plan five (5) times through the following Ordinances: 94-119 adopted on December 6, 1994, 95-18 adopted on February 28, 1995, 98-47 adopted on July 6, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on January 14, 1969, by Ordinance No. 69-11, the Council adopted an Urban Renewal Plan and Feasibility of Relocation for the Mariposa Medical Center Project ("Mariposa") and subsequently amended the Mariposa Plan a total of thirteen (13) times through the following Ordinances: 72-26 adopted on April 20, 1972, 75-124 adopted on December 4, 1975, 79-112 adopted on June 19, 1979, 82-78 adopted on August 3, 1982, 86-204 adopted on December 16, 1986, 88-23 adopted on February 2, 1988, 88-116 adopted on September 13, 1988, 92-55 adopted on July 28, 1992, 94-112 adopted on December 6, 1994, 95-19 adopted on February 28, 1995, 98-48 adopted on July 6, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on June 30, 1998, by Ordinance No. 98-43, the Council adopted a redevelopment plan for the South Van Ness Industrial Redevelopment Project ("South Van Ness Industrial") and subsequently amended the South Van Ness Plan one (1) time by way of Ordinance No. 2008-9 adopted on February 26, 2008; and

WHEREAS, on October 1, 1964, by Ordinance No. 6517, the Council adopted a redevelopment plan for the West Fresno Project One Urban Renewal Plan ("West Fresno I") and subsequently amended the West Fresno I Plan eight (8) times through the following Ordinances: 6601 adopted on April 1, 1965, 71-48 adopted on May 6, 1971, 77-46 adopted on May 10, 1977, 86-200 adopted on December 16, 1986, 94-120 adopted on December 6, 1994, 98-49 adopted on July 6, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, on December 19, 1963, by Ordinance No. 6384, the Council adopted a redevelopment plan for the West Fresno Project Two Urban Renewal Plan ("West Fresno II") and subsequently amended the West Fresno II Plan six (6) times through the following Ordinances: 67-14 adopted on April 13, 1967, 86-201 adopted on December 16, 1986, 94-121 adopted on December 6, 1994, 98-50 adopted on July 6, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on August 4, 2008; and

WHEREAS, the Council and Agency desires to amend the Constituent Project Plans (including the Seventeenth Amendment to Central Business District, the Seventh Amendment to Chinatown Expanded, the Sixth Amendment to the Convention Center, the Second Amendment to Fulton, the Sixth Amendment to Jefferson, the Fourteenth Amendment to Mariposa, the Second Amendment to South Van Ness Industrial, the Ninth Amendment to West Fresno I and the Seventh Amendment to West Fresno II), which Amendments are set forth in Exhibit B; and

WHEREAS, for any Amendments to Constituent Redevelopments Plans adopted prior to December 21, 1993, Section 33333.11(f) of the CRL requires that, 120 days prior to the Agency holding a public hearing on the Amendments, the Agency send the proposed Amendments to the Planning Commission for its report and recommendation concerning the proposed Amendments and their conformity to the City's General Plan, pursuant to Government Code section 65402; and

WHEREAS, for any Amendments to Constituent Redevelopment Plans adopted after December 31, 1993, Section 33453 of the CRL requires that, 30 days prior to the Agency holding a public hearing on the Amendments, the Agency send the proposed Amendments to the Planning Commission for its report and recommendation concerning the proposed Amendments and their conformity to the City's General Plan, pursuant to Government Code section 65402; and

WHEREAS, on July 29, 2008, the Council and Agency authorized staff to proceed with the public hearing process for consideration of Proposed Plan Amendments to Redevelopment Plans in the Merger No. 1 Project Area; and

WHEREAS, on August 1, 2008, copies of the proposed Amendments and the report described in Section 33333.11(e) of the CRL ("Preliminary Report"), were transmitted to the Planning Commission; and

WHEREAS, on October 15, 2008, prior to a noticed public hearing on the Amendments before the Planning Commission meeting on that same date, Agency staff requested the Commission to postpone consideration of the Amendments so that the Agency staff could prepare the DSEIR to more thoroughly address the Project's potential environmental effects on cultural resources, air quality, and noise; and

WHEREAS, on July 16, 2009, the Lead Agency transmitted the Notice of Preparation and Initial Study for the DSEIR to the Planning Commission pursuant to CEQA Guidelines Section 15082 and Public Resources Code section 21080.4; and

WHEREAS, on January 29, 2010, the Lead Agency provided certain additional information to the Planning Commission, including the Notice of Availability ("NOA") of the DSEIR, the DSEIR, further copies of the Amendments, and a further copy of the Preliminary Report; and

WHEREAS, on February 2, 2010, the Lead Agency published the NOA for the DSEIR in the Fresno Bee and transmitted it to the State Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and

WHEREAS, on February 3, 2010, Lead Agency staff conducted a workshop for the Planning Commission regarding the Project and provided additional copies of the DSEIR, the Amendments and the Preliminary Report to the Planning Commission; and

WHEREAS, the public comment period of the DSEIR was duly and lawfully closed on March 19, 2010, following a 45 day public comment period, where the public was given the opportunity to comment, in writing, on the adequacy of the DSEIR; and

WHEREAS, at the close of the public review and comment period, the FSEIR was prepared that incorporated comments received on the DSEIR, the Lead Agency's response to the comments, and necessary changes to the text of the DSEIR, pursuant to CEQA Guidelines Sections 15088, 15089 and 15132; and

WHEREAS, Article 6 of the Fresno Municipal Code, Local Planning and Procedures, Sections 12-608 and 12-609, requires that the Planning Commission review proposed redevelopment plan amendments at a noticed public hearing, and at the conclusion thereof to recommend approval, disapproval, or modification of the proposed Amendments; and

WHEREAS, April 3, 2010, notice of the Planning Commission Hearing was published in the Fresno Bee and distributed by first class mail notice to property owners, residents, and businesses, as well as certified mail notice to affected taxing entities, pursuant to CRL requirements; and

WHEREAS, on April 15, 2010, the Agency provided an overview of the Chinatown Expanded Plan amendment to the Chinatown Project Area Committee ("Chinatown PAC") at a noticed public meeting of the Chinatown PAC, including an overview of the Amendments, the

DSEIR, and the plan amendment adoption process. After consideration, by a 5-0 vote, the Chinatown PAC recommended to re-affirm their previous recommendation from 2008 to approve the Chinatown Expanded Redevelopment Plan Amendments as presented by Agency staff; and

WHEREAS, the Planning Commission members have received the proposed Amendments in summary form (attached hereto as Exhibit A) and detailed in draft form (attached hereto as Exhibit B) in sufficient time to comply with the requirements of the CRL; and

WHEREAS, on April 21, 2010, at the public hearing, the Planning Commission reviewed and considered the General Plan and the applicable Specific and Community plans, the proposed Amendments to nine Constituent Redevelopment Plans in Merger No. 1 Project, the staff report to the Planning Commission, the Preliminary Report, the FSEIR, other reports, testimony, and recommendations from staff, written comments, and testimony in favor of and against the proposed Amendments; and

WHEREAS, pursuant to CEQA Guidelines Section 15132, the FSEIR is required to comply with CEQA; and

WHEREAS, the proposed Amendments to land use designations of properties within the Constituent Project Areas of Merger No. 1 are the same as those land use designations contained in the adopted land use map of the City's General Plan; and

WHEREAS, the proposed Amendments to existing development standards for properties located within the Constituent Project Areas are the same as the development standards contained in the City's General Plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF FRESNO RESOLVES AS FOLLOWS:

Section 1. Findings and Determinations. The Planning Commission, having considered the General Plan and the applicable Specific and Community plans, the FSEIR, the reports, testimony and other information provided and presented to it at the public hearing, finds and determines that:

1.1 The proposed Amendments are consistent with the City's General Plan and the applicable Specific and Community Plans and any changes to land uses permitted in the Constituent Project Areas as a result of the Amendments, and other general controls and limitations, and the land use designations, circulation systems, public facilities, proposed projects and programs, development standards and all other contents of the proposed Amendments conform with the City's General Plan, including without limitation, as follows:

- a. The proposed Amendments are consistent with the General Plan Housing Element, as the Agency's revitalization strategy is primarily intended to retain, rehabilitate and improve as many of the existing buildings in the Constituent Project Areas as feasible and to provide for new housing infill opportunities. The

majority of the Constituent Redevelopment Plans are planned for commercial, residential, mixed use housing, public and industrial uses. While it is contemplated that displacement of some of the housing units within the Constituent Redevelopment Plans could occur, the General Plan Housing Element will not be impacted, as any low and moderate income housing units that may be displaced from the market will be relocated and/or replaced, either outside or inside the Merger No. 1 Project Area consistent with State and Federal law.

- b. The proposed Amendments are consistent with the General Plan policies for the protection of Cultural Resources, as the City's responsibilities and discretion in considering and approving all planning and development processes and entitlements within the Constituent Project Areas are not limited in any way by the Amendments.
- c. Seven of the Constituent Redevelopment Plans (Central Business District, Fulton, Jefferson, Mariposa, South Van Ness, West Fresno I and West Fresno II) currently have identical land uses to the City's adopted General Plan, the Community Plans and the proposed Amendments will cause the each Constituent Redevelopment Plan land use element to utilize the General Plan and applicable Community Plan and Specific Plans as its own.
- d. Two of the Constituent Redevelopment Plans (Chinatown Expanded and Convention Center) currently utilize the General Plan, Central Area Community Plan and any applicable Specific Plans as their Land Use Plans.

1.2 The location, purpose and extent of any real property to be acquired under the authority of the proposed Amendments by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Constituent Project Areas are in accordance with the City's General Plan and the applicable Specific and Community Plans, consistent with Government Code section 65402 and Fresno Municipal Code, section 12-604

1.3 Based upon its review of the FSEIR, the Planning Commission finds that the FSEIR for the Project is an adequate assessment of the potentially significant environmental impacts of the Merger I Project, as described in the FSEIR, and sets forth a reasonable range of alternatives to the Merger I Project. The FSEIR for the Merger I Project has been completed and is in compliance with the provisions of CEQA, with State and local Guidelines for implementing CEQA, and all other applicable laws and regulations.

1.4 The Merger I Project will result in significant, unavoidable environmental impacts.

Section 2. Report and Recommendation. The Planning Commission reports and recommends the following to the Agency and Council concerning the proposed Amendments:

2.1 The Planning Commission reports the findings in Section 1, above, to the Agency and the Council.

2.2 The Planning Commission recommends that the Lead Agency exercise its independent judgment in the review and analysis of the FSEIR and certify the proposed FSEIR with all recommendations as presented by staff.

2.3 The Planning Commission recommends the Lead Agency consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger I Project.

2.4 The Planning Commission recommends that the Agency submit the Amendments to the Council, and that the Council adopt an ordinance approving the Amendments.

Section 3. Transmittal. The Secretary of the Planning Commission shall transmit a certified copy of this Resolution, with all attachments, to the Council, and to the Agency for it to include in any Report to the Council and Agency under Health & Safety Code section 33352 or otherwise.

SECRETARY'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, _____, Secretary of the Fresno City Planning Commission, certify that the Planning Commission, at a regular meeting held April 21, 2010, upon a motion by Commissioner _____, seconded by Commissioner _____, adopted the foregoing Resolution by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Fresno City Planning Commission
_____, Secretary

Dated: _____

Resolution No. _____
Proposed 2010 Amendments to the Merger
No. 1 Redevelopment Area

EXHIBIT A

PROPOSED AMENDMENTS TO NINE REDEVELOPMENT PLANS IN MERGER 1

**SEVENTEENTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
CENTRAL BUSINESS DISTRICT PROJECT ONE URBAN RENEWAL PLAN**

BACKGROUND

On March 16, 1961, by Ordinance No. 5891, the City Council adopted a redevelopment plan (Redevelopment Plan or Plan) entitled the Central Business District Project One Urban Renewal Plan and subsequently amended the Redevelopment Plan fifteen (15) times by way of Ordinances 6282 adopted on April 18, 1963, 6316 adopted on August 1, 1963, 6596 adopted on March 25, 1965, 6923 adopted on December 1, 1966, 67-35 adopted on June 1, 1967, 67-76 adopted on August 2, 1967, 69-06 adopted on January 9, 1969, 73-19 adopted on January 11, 1973, 73-159 adopted on October 25, 1973, 78-41 adopted on March 21, 1978, 86-199 adopted on December 16, 1986, 94-32 adopted on May 3, 1994, 94-115 adopted on December 6, 1994, 98-44 adopted on June 30, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (Central Business District Project).

The Agency desires to amend the Redevelopment Plan for the Central Business District Project (Seventeenth Amendment), to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; 4) extend eminent domain authority; and 5) cause the land use plan to be the General Plan and any applicable specific or community plans, as each may be amended or adopted from time to time.

SEVENTEENTH AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration

IX. DURATION OF THIS PLAN¹

The duration of the redevelopment plan is extended as follows:

Deleted Text:

"Except for the nondiscrimination provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provision of other documents entered into pursuant to this Plan may be made effective until ~~January 1, 2012~~; provided, however, that, subject to the limitations set fourth in Section VI.C. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or

¹ Text and numbering based on Ordinance No. 98-44 adopted June 30, 1998 as amended to include ERAF extensions.

other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provision of other documents entered into pursuant to this Plan may be made effective until **January 1, 2022**; provided, however, that, subject to the limitations set fourth in Section VI.C. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. **Time Limit to Pay Indebtedness or Receive Tax Increment**²

VII. PROJECT FINANCING

The provision for the payment of indebtedness or receipt of tax increment shall be extended as follows:

Deleted Text:

“The Project Area shall not pay indebtedness or receive taxes pursuant to Section 33670 of the Law after **January 1, 2022.**”

New Text

“The Project Area shall not pay indebtedness or receive taxes pursuant to Section 33670 of the Law after **January 1, 2032.**”

² Text and numbering based on Ordinance No. 94-115 adopted December 6, 1994 as amended to include ERAF extensions.

III. Tax Increment Limit³

VII. PROJECT FINANCING

The amount of tax increment received by the Agency shall be increased as follows:

Deleted Text

"The number of dollars of taxes which may be allocated to the Redevelopment Agency of the City of Fresno "hereafter referred to as the "Agency" under the Plan shall not exceed the amount of ~~Sixteen Million dollars (\$16,000,000)~~ except by amendment of the Plan in the manner required by Law."

New Text

"The number of dollars of taxes which may be allocated to the Redevelopment Agency of the City of Fresno "hereafter referred to as the "Agency" under the Plan shall not exceed the amount of One Hundred and Twenty Eight Million dollars (\$128,000,000) except by amendment of the Plan in the manner required by Law."

IV. Eminent Domain

V. PROJECT ADMINISTRATION⁴ (paragraph B.1 third sentence)

Eminent domain authority is reinstated as follows:

Deleted Text:

"Eminent domain proceedings, if used must be commenced within twelve (12) years from the date of the ~~1998~~ Ordinance becomes effective."

New Text:

"Eminent domain proceedings, if used must be commenced within twelve (12) years from the date of the Ordinance adopting this Amendment becomes effective." Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the Fresno Municipal Code.

³ Text and numbering based on Ordinance No. 86-199 adopted December 16, 1986.

⁴ Text and numbering based on Ordinance No. 98-44 adopted June 30, 1998.

V. Land Use Controls

IV. USES PERMITTED IN THE PROJECT AREA

Sections IV of the Plan is hereby deleted and restated in its entirety to read as follows:

A. Land Use

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

VI. Delete Land Use Plan Map

XII. Central Business District Urban Renewal Plan Map

The map of the Central Business District Urban Renewal Plan contained on Page 2 of the Plan is hereby deleted and replaced with the Central Business District Urban Renewal Plan Map (Revised 2008), attached hereto and incorporated herein by reference.

**SEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
CHINATOWN EXPANDED COMMUNITY REDEVELOPMENT PLAN**

BACKGROUND

On July 22, 1965, by Ordinance No. 6663, the City Council adopted a redevelopment plan (Redevelopment Plan or Plan) for the West Fresno Business District Rehabilitation Project (Original Project Area), and subsequently amended the Redevelopment Plan six (6) times by way of Ordinance 86-13 adopted on January 28, 1986 [adding territory to the Original Project Area (Added Area) and renaming the Project Area as amended to add territory as the Chinatown Expanded Community Redevelopment Plan], and further amended the Chinatown Expanded Community Redevelopment Plan by way of Ordinances 94-116 adopted on December 6, 1994, 98-45 adopted on June 30, 1998, 2006-40 adopted on April 4, 2006, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (Chinatown Expanded Project).

The Agency desires to amend the Redevelopment Plan (Seventh Amendment) as it pertains to the Original Project Area and Added Area to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; and 4) extend eminent domain authority.

SEVENTH AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration¹

The duration of the redevelopment plan is extended as follows:

4.1. Duration of Plan and Covenants

Deleted Text:

“Except for the non-discrimination provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provision of other documents entered into pursuant to this Plan may be made effective until ~~January 1, 2012~~, for the original area of the Project adopted by Ordinance No. 663 (the “Original Area”) and until ~~January 28, 2029~~, for the area added by Ordinance No. 86-13 (the “Added Area”); provided,

¹ Text and numbering based on Ordinance No. 98-45 adopted June 30, 1998 and effective August 6, 1998 as amended to include ERAF extensions.

however, that, subject to the limitations set forth in paragraph b. of Section 5.3.5 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the non-discrimination provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provision of other documents entered into pursuant to this Plan may be made effective until **January 1, 2022**², for the original area of the Project adopted by Ordinance No. 663 (the “Original Area”) and until **January 28, 2038**³, for the area added by Ordinance No. 86-13 (the “Added Area”); provided, however, that, subject to the limitations set forth in paragraph b. of Section 5.3.5 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

² Plans on or before December 31, 1993, shall terminate on a date not later than 40 years from adoption or January 1, 2009 which ever is later, not including ERAF amendment and 10 year extension.

³ Includes ERAF amendment and 10 year extension.

II. Tax Increment Limit⁴

Paragraph b. of Section 5.3.5 of the Plan is hereby amended to increase the tax increment limit as follows:

Deleted Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of ~~\$32,000,000~~ from both the Original Area and the Added Area, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Community Redevelopment Law. Unless and until the total assessed value of taxable property in the project exceed the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in paragraph a. of Section 5.3.5 above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies."

New Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of \$128,000,000 from both the Original Area and the Added Area, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Community Redevelopment Law. Unless and until the total assessed value of taxable property in the project exceed the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in paragraph a. of Section 5.3.5 above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies."

III. Time Limit to Receive Tax Increment and Repay Debt⁵

Paragraph b. of Section 5.3.5 of the Plan is hereby amended to extend the time to receive tax increment and repay debt as follows:

⁴ Text numbering and content was based on the 1998 amendment Ordinance No. 98-45, adopted June 30, 1998 and effective August 6, 1998.

⁵ Text numbering and content based on 1998 amendment Ordinance No. 98-45, adopted June 30, 1998 and effective August 6, 1998. Paragraph b includes four distinct paragraphs.

Deleted Text

"The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 5.3.5 beyond ~~January 1, 2022~~, for the Original Area of the Project and ~~February 28, 2039~~, for the Added Area of the Project."

New Text

"The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 5.3.5 beyond January 1, 2032, for the Original Area of the Project and February 28, 2048, for the Added Area of the Project."

IV. Eminent Domain⁶

Section 3.6 of the Plan is hereby amended to extend eminent domain authority as follows:

Deleted Text

"Site assembly is a necessary tool in Plan Implementation. The Agency may acquire, but is not obligated to acquire real property in the Project Area by gift, devise, exchange, purchase, or any other lawful method including, without limitation, eminent domain. Eminent Domain procedures, if used, must be commenced within twelve (12) years from the effective date of the ~~1998 Ordinance.~~"

New Text

"Site assembly is a necessary tool in Plan Implementation. The Agency may acquire, but is not obligated to acquire real property in the Project Area by gift, devise, exchange, purchase, or any other lawful method including, without limitation, eminent domain. Eminent Domain procedures, if used, must be commenced within twelve (12) years from the effective date of the Ordinance adopting this Amendment."

V. Delete 1998 Acquisition Map

3.7 Land Acquisition

⁶ Text numbering and content base on 2006 amendment Ordinance No. 2006-40 adopted April 4, 2006.

Section 3.7 of the Plan is hereby amended to remove the reference to the 1998 Acquisition Map as follows:

Deleted Text:

“In order to protect existing development and attract new investments, the implementation of this Plan is largely dependent upon the rehabilitation of existing development, but will also require the acquisition, clearance, and assemblage of properties for new development. As proposed by this Plan, the Redevelopment Agency will acquire properties primarily through mutual agreed negotiated settlements with the respective property owners, and not through the exercise of its power of eminent domain. Nevertheless, in the event purchase cannot be negotiated, the Agency may seek the acquisition primarily of vacant parcels, parcels with vacant buildings and/or, in the sole discretion of the Agency, severely blighted parcels, as shown on the Acquisition Map (ref. Exhibit 9), through the exercise of its power of eminent domain. All other properties in the project area, the use of which conforms to this Plan, are designated as properties which may not be acquired subject to owner participation. Where the structures on the properties are economically feasible to rehabilitate and the proposed reuse conforms to the Plan, it is anticipated that these properties will be rehabilitated as necessary to be in conformance with Property Rehabilitation Standards contained in this Plan (see Sections 4.5 and 4.6).”

New Text:

“In order to protect existing development and attract new investments, the implementation of this Plan is largely dependent upon the rehabilitation of existing development, but will also require the acquisition, clearance, and assemblage of properties for new development. As proposed by this Plan, the Redevelopment Agency will acquire properties primarily through mutual agreed negotiated settlements with the respective property owners, and not through the exercise of its power of eminent domain. Nevertheless, in the event purchase cannot be negotiated, the Agency may seek the acquisition primarily of vacant parcels, parcels with vacant buildings and/or, in the sole discretion of the Agency, severely blighted parcels through the exercise of its power of eminent domain. All other properties in the project area, the use of which conforms to this Plan, are designated as properties which may not be acquired subject to owner participation. Where the structures on the properties are economically feasible to rehabilitate and the proposed reuse conforms to the Plan, it is anticipated that these properties will be rehabilitated as necessary to be in conformance with Property Rehabilitation Standards contained in this Plan (see Sections 4.5 and 4.6).”

**SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
CONVENTION CENTER REDEVELOPMENT PLAN**

BACKGROUND

On January 12, 1982, by Ordinance No. 82-6, the City Council adopted the a redevelopment plan for the Convention Center Redevelopment Project Area (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan five (5) times by way of Ordinances 94-118 adopted on December 6, 1994, 98-46 adopted on June 30, 1998, 2005-120 adopted on October 11, 2005, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (Convention Center Redevelopment Project).

The Agency desires to amend the Redevelopment Plan (Sixth Amendment) to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; and 3) increase the tax increment limit and update the map of properties subject to acquisition by the Agency through the use of eminent domain.

SIXTH AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration¹

The duration of the Redevelopment Plan is extended as follows:

“5.1 Duration of Covenants”

Deleted Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 12, 2025**; provided, however, that, subject to the limitations set forth in Section 6.3.5.b. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness

¹ Text and numbering based on Ordinance No.98-46 adopted June 30, 1998 as amended to include ERAF extensions.

and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 12, 2035**; provided, however, that, subject to the limitations set forth in Section 6.3.5.b. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. Time Limit for Debt Repayment and Receipt of Tax Increment²

Paragraph b. of Section 5.3.5 of the Plan is hereby amended to extend the time to receive tax increment and repay debt as follows:
as follows:

Deleted Text

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project with tax increments beyond January 1, 2014. Loans, advances or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency’s housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness as set forth herein. The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with proceeds from property taxes from the Project Area

² Text and numbering based on Ordinance No.98-46 adopted June 30, 1998 as amended to include ERAF extensions.

pursuant to Section 33670 of the Community Redevelopment Law and this Section 6.3.5 beyond ~~January 12, 2035.~~

New Text

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project with tax increments beyond January 1, 2014. Loans, advances or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness as set forth herein. The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with proceeds from property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 6.3.5 beyond January 12, 2045.

III. Tax Increment Limit³

Paragraph b. "Tax Increment" of Section 6.3.5 of the Plan is hereby amended to increase the tax increment limit as follows:

Deleted Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of ~~\$51,000,000~~, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in 6.3.5.a. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies."

³ Text and numbering based on Ordinance No. 98-46 adopted June 30, 1998.

New Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of \$357,000,000, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in 6.3.5.a. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies."

IV. Land Acquisition

Section 6.1.2, Paragraph 2 of the Plan is amended in its entirety to read as follows:

Deleted Text

The area within the Project Area that is subject to the exercise of eminent domain is designated as "subject to Acquisition" on the "Acquisition Plan," attached hereto as Exhibit 5, and incorporated herein by this reference. The Acquisition Plan is composed of two areas. The first acquisition area is composed of those properties in the Acquisition Plan as of the date that the 1998 Amendment became effective (identified on the Acquisition Plan as "Existing"). The second acquisition area is composed of those properties that are added to the Acquisition Plan upon the effective date of this 2005 Amendment (identified on the Acquisition Plan as "Added"). The Agency shall commence any eminent domain proceedings to acquire property within the "Existing" area of the Acquisition Plan by August 6, 2010. The Agency shall commence any eminent domain proceedings to acquire property within the "Added" area of the Acquisition Plan within twelve years from the date the ordinance adopting this 2005 Amendment becomes effective.

New Text:

The area within the Project Area that is subject to the exercise of eminent domain is designated as "subject to Acquisition" on the "Acquisition Plan," attached hereto as Exhibit 5, and incorporated herein by this reference. The Acquisition Plan is composed of two areas. The Phase I acquisition area is composed of those properties in the Acquisition Plan as of the date that the 2005 Amendment became effective (identified on the Acquisition Plan as "Phase I"). The Phase II acquisition area is composed of those properties that were added to the Acquisition Plan with the 1998 Amendment and are being retained in the 2008 update of the Acquisition Plan (identified on the Acquisition

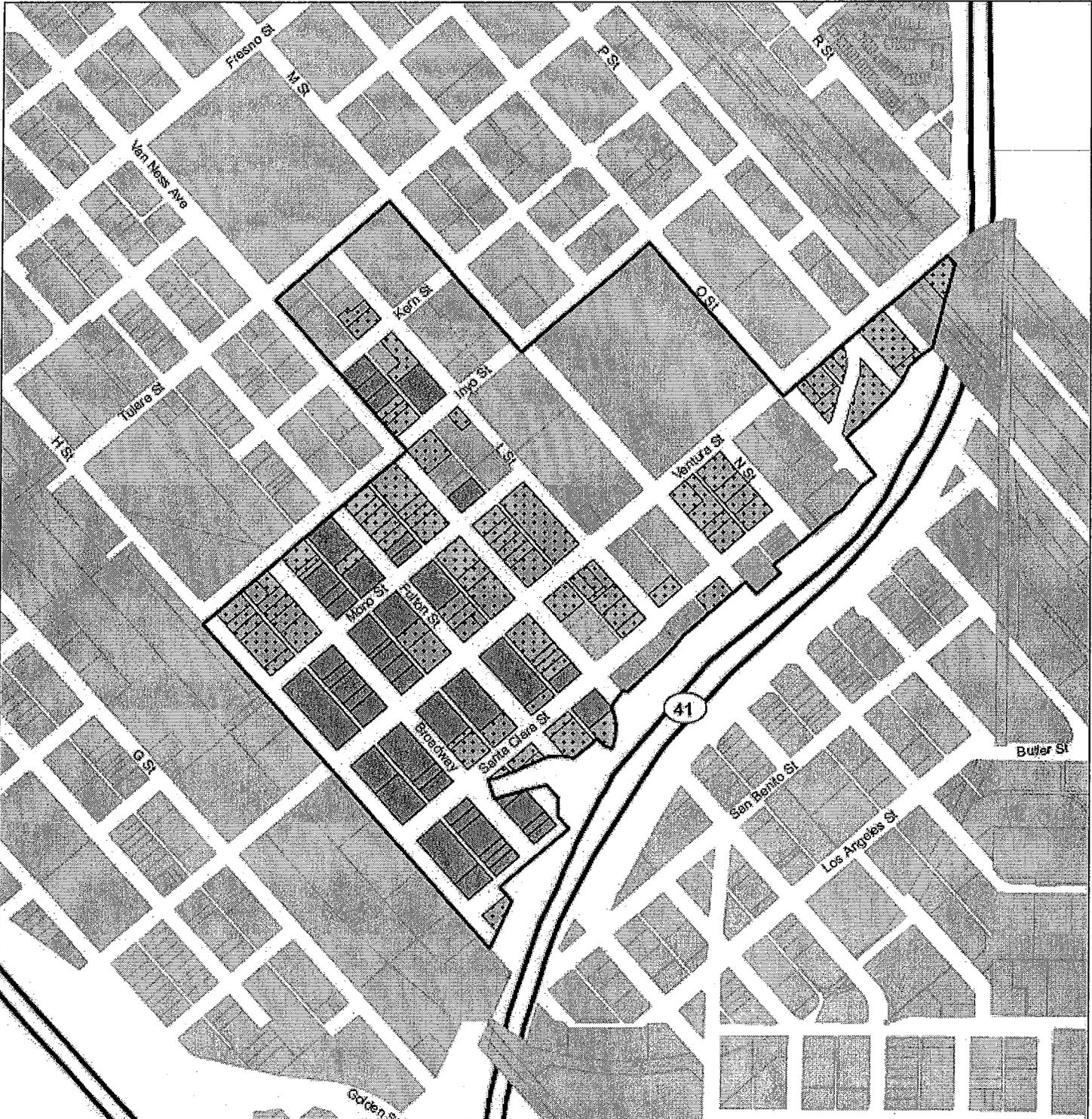
Plan as "Phase II"). The Agency shall commence any eminent domain proceedings to acquire property within the Phase I area of the Acquisition Plan by November 24, 2017. The Agency shall commence any eminent domain proceedings to acquire property within the "Phase II" area of the Acquisition Plan within twelve years from the date the ordinance adopting this 2008 Amendment becomes effective.

V. Delete Acquisition Plan Map

The map entitled "Exhibit 5, Acquisition Plan Map (Revised 2005)," is hereby deleted and replaced with "Exhibit 5, Acquisition Plan Map (Revised 2008), attached hereto and incorporated herein by reference.

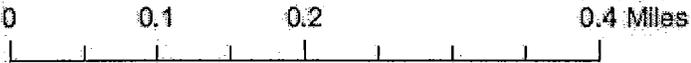
VI. Delete Circulation Pattern Map

The map entitled "Exhibit 4, Adopted Circulation Pattern Map" is hereby deleted.



Legend

-  Redevelopment Project Boundary
-  Property Subject to Acquisition (Phase I)
-  Property Subject to Acquisition (Phase II)



Prepared by: Kayser Marston Associates, Inc.
 Filename: SubjecttoAcquisition-ConventionCenter.ai; 6/25/08; bm

Exhibit 5
 Acquisition Plan Map (Revised 2008)
 Convention Center Redevelopment Plan
 Fresno Redevelopment Agency

**THIRD AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
FULTON REDEVELOPMENT PLAN**

BACKGROUND

On June 30, 1998, by Ordinance No. 98-42, the City Council of the City of Fresno adopted the redevelopment plan for the Fulton Redevelopment Project (Redevelopment Plan or Plan), and subsequently amended the Redevelopment Plan two (2) times by way of Ordinances 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (Fulton Project).

The Redevelopment Agency of the City of Fresno (Agency) desires to amend the Redevelopment Plan (Third Amendment) to: 1) extend the debt establishment period; 2) extend eminent domain authority; and 3) cause the land use plan to be the General Plan and any applicable community plan or specific plans as each may be adopted or amended from time to time.

THIRD AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Debt Establishment

The period for establishing debt is extended as follows:

“B. [~~§502~~] Tax Increment Funds” (section 3. paragraph four)

Deleted Text:

“The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project with tax increments ~~beyond twenty (20) years from the date of adoption of this Plan.~~ Loans, advances, or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establish more debt in order to fulfill the Agency’s housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the

indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502.”

New Text:

“The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project with tax increments beyond **August 6, 2029.**¹ Loans, advances, or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establish more debt in order to fulfill the Agency’s housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502.”

II. Eminent Domain

The period for commencement of eminent domain is extended as follows:

“D. [§309] Property Acquisition

1. [§309] “Real Property” (paragraph two)

Deleted Text:

“It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. In cases where such purchase cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through the exercise of its power of eminent domain, which must be commenced within twelve (12) years from the date the ordinance adopting ~~this Plan~~ becomes effective.”

¹ The Plan was adopted on June 30, 1998, signed by the Mayor on July 6, 1998 and became effective on August 6, 1998, 31 days after the Mayor’s approval. Includes one year ERAF extension.

New Text:

"It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. In cases where such purchase cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through the exercise of its power of eminent domain, which must be commenced within twelve (12) years from the date the ordinance adopting **the Second Amendment** becomes effective." Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the Fresno Municipal Code.

III. **Land Use Plan**

Section 400 "Uses Permitted in the Project Area" is deleted and restated in its entirety as follows:

Section 400 Land Uses Permitted in the Project Area

A. Land Uses

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

IV. **Delete Redevelopment Land Use Map**

The "Redevelopment Land Use Map" is hereby deleted from the Plan, including any and all references with respect to the "Redevelopment Land Use Map."

**SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
JEFFERSON AREA REDEVELOPMENT PLAN**

BACKGROUND

On December 18, 1984, by Ordinance No.84-182, the City Council adopted a redevelopment plan for the Jefferson Area Project (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan five (5) times by way of Ordinances 94-119 adopted on December 6, 1994, 95-18 adopted on February 28, 1995, 98-47 adopted on June 30, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (Jefferson Area Project).

The Redevelopment Agency of the City of Fresno (Agency) desires to amend the Redevelopment Plan (Sixth Amendment) to: 1) extend redevelopment plan effectiveness; 2) extend debt repayment and receipt of tax increment; 3) increase the tax increment limit; 4) extend eminent domain authority; and 5) cause the land use plan to be the General Plan and any applicable community plans or specific plans, as each may be amended from time to time.

SIXTH AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration¹

The duration of the Redevelopment Plan is extended as follows:

"7.1 Duration of Covenants"

Deleted Text:

"Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **December 18, 2027**; provided, however, that, subject to the limitations set forth in Section 6.3.5.b. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or

¹ Text and numbering based on Ordinance No. 98-47 adopted June 30, 1998 as amended to include ERAF extensions.

other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **December 18, 2037**; provided, however, that, subject to the limitations set forth in Section 6.3.5.b. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. Time Limit for Debt Repayment and Receipt of Tax Increment²

Paragraph B. of Section 8.3.5³ of the Plan is hereby amended to extend the time to receive tax increment and repay debt as follows:
as follows:

Deleted Text

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project with tax increments beyond January 1, 2014. Loans, advances or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency’s housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be

² Text and numbering based on Ordinance No. 98-47 adopted June 30, 1998 as amended to include ERAF extensions.

³ Paragraph B. of Section 8.3.5 includes four distinct paragraphs.

repaid is not extended beyond the time limit for repaying indebtedness as set forth herein. The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with proceeds from property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 6.3.5 beyond ~~December 18, 2037.~~

New Text

The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with proceeds from property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 6.3.5 beyond December 18, 2047.

III. Tax Increment Limit⁴

Paragraph B. "Tax Increment" of Section 8.3.5 of the Plan is hereby amended to increase the tax increment limit as follows:

Deleted Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of ~~235,000,000~~, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in 8.3.5.A. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies."

New Text

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of 470,000,000, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project as shown by the last equalized assessment roll

⁴ Text and numbering based on Ordinance No. 98-47 adopted June 30, 1998.

referred to in 8.3.5.A. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies.”

IV. Eminent Domain⁵

Paragraph B. of Section 8.1.2 of the Plan is hereby amended to extend eminent domain authority as follows:

Deleted Text

“In cases where purchase cannot be negotiated, property shall be acquired by the Agency through the exercise of its right of eminent domain, which shall commence within twelve years from the effective date of the ~~1998 Ordinance~~. The Agency will comply with all the provisions of the statutes and Constitution of the State of California and the Department of Housing and Urban Development of the United States of America, relative to the exercise of the right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with applicable provisions of Federal law.”

New Text

“In cases where purchase cannot be negotiated, property shall be acquired by the Agency through the exercise of its right of eminent domain, which shall commence within twelve years from the effective date of the Ordinance adopting this Amendment. The Agency will comply with all the provisions of the statutes and Constitution of the State of California and the Department of Housing and Urban Development of the United States of America, relative to the exercise of the right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with applicable provisions of Federal law.” The aforementioned time limit is applicable to specific properties only, as identified in the Acquisition Plan. Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, “property on which any persons reside” shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the Fresno Municipal Code.

V. Land Acquisition

Exhibit 13 “Acquisition Plan” is hereby deleted and replaced with Exhibit 13 Acquisition Plan (Revised 2008) attached hereto and incorporated by reference.

⁵ Text and numbering based on Ordinance No. 98-47 adopted June 30, 1998.

VI. Land Use and Development Standards

Sections 5.0 "Proposed Land Uses and Circulation" and Section 6.0 "Property Development Standards" are deleted and replaced with the following:

Section 5.0 Land Use and Development Standards

5.1 Land Use

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

VII. Delete Acquisition Plan Map

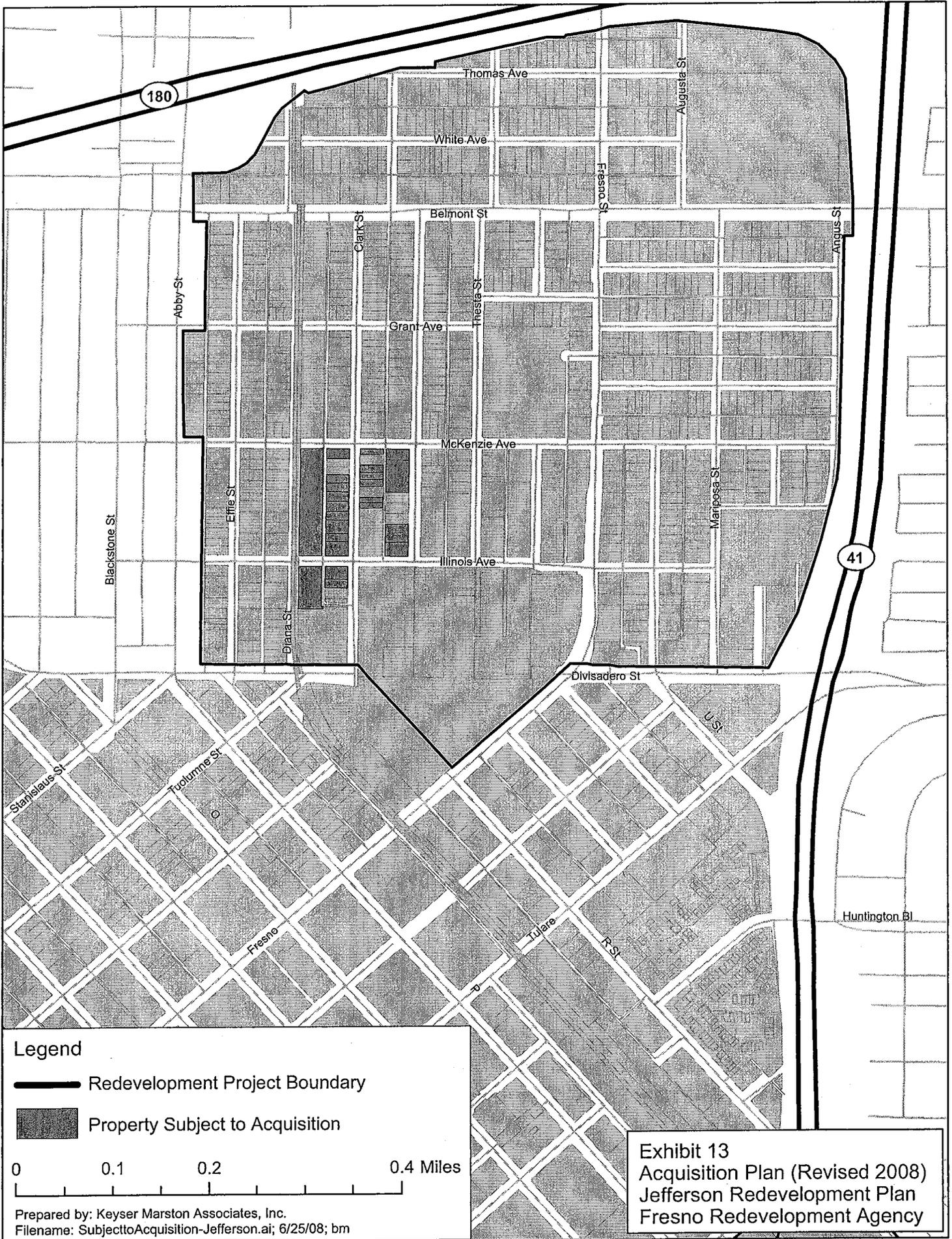
Paragraph one of Section 4.9 of the Plan is hereby amended to remove the Acquisition Plan Map as follows:

Existing Text:

"The implementation of the Jefferson Area Community Redevelopment Plan concept for the Regional Medical Center Project is dependent upon land assembly, redevelopment, and rehabilitation activities. In order to assure development of the Regional Medical Center Project, the Redevelopment Agency may acquire by purchase, eminent domain (sic), or otherwise, the real property contained in the Regional Medical Center Project Area and designated as "Subject to Acquisition, Phase A (1984), and Subject to Acquisition, Phase B (1995) in the Acquisition Plan, Exhibit 13." The properties identified in Subject to Acquisition, Phase A (1984), were placed in the Acquisition Plan in 1984 with the original adoption of the Jefferson Area Community Redevelopment Plan."

New Text:

"The implementation of the Jefferson Area Community Redevelopment Plan concept for the Regional Medical Center Project is dependent upon land assembly, redevelopment, and rehabilitation activities. In order to assure continued development of the Regional Medical Center Project, the Redevelopment Agency may acquire by purchase, eminent domain, or otherwise, the real property contained in the Regional Medical Center Project Area and designated as "Subject to Acquisition (Revised 2008)" in the Acquisition Plan, Exhibit 13."



180

41

Legend

 Redevelopment Project Boundary

 Property Subject to Acquisition

0 0.1 0.2 0.4 Miles

Prepared by: Keyser Marston Associates, Inc.
 Filename: SubjecttoAcquisition-Jefferson.ai; 6/25/08; bm

Exhibit 13
 Acquisition Plan (Revised 2008)
 Jefferson Redevelopment Plan
 Fresno Redevelopment Agency

**FOURTEENTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
MARIPOSA REDEVELOPMENT PLAN**

BACKGROUND

On January 14, 1969, by Ordinance No. 69-11, the City Council adopted an Urban Renewal Plan and Feasibility of Relocation for the Mariposa Medical Center Project (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan a total of thirteen (13) times by way of Ordinances 72-26 adopted on April 20, 1972, 75-124 adopted on December 4, 1975, 79-112 adopted on June 19, 1979, 82-78 adopted on August 3, 1982, 86-204 adopted on December 16, 1986, 88-23 adopted on February 2, 1988, 88-116 adopted on September 13, 1988, 92-55 adopted on July 28, 1992, 94-112 adopted on December 6, 1994, 95-19 adopted on February 28, 1995, 98-48 adopted on June 30, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (the Mariposa Project).

The Agency desires to amend the Redevelopment Plan to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; 4) extend eminent domain authority; and 5) cause the land use plan to be the General Plan and any applicable community plans or specific plans, as each may be amended from time to time.

The Redevelopment Plan, as amended, is hereby further amended as follows:

FOURTEENTH AMENDMENT

I. Duration of Plan and Covenants¹

The period for Plan duration is extended as follows:

“SECTION 501 Duration of Plan and Covenants”

Deleted Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 14,**

¹ Text and numbering based upon Ordinance No. 98-48 adopted June 30, 1998 as amended to include ERAF extensions.

~~2012~~; provided, however, that, subject to the limitations set forth in Section 1103 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until January 14, 2022; provided, however, that, subject to the limitations set forth in Section 1103 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. Debt Repayment and Receipt of Tax Increment²

The time limit to repay debt and collect tax increment is extended as follows:

“SECTION 1103 Tax Increment” (sixth paragraph)

Deleted Text:

“The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 1103 beyond ~~January 14, 2022~~.”

² Text and numbering based upon Ordinance No. 98-48 adopted June 30, 1998 as amended to include ERAF extensions.

New Text:

"The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 1103 beyond **January 14, 2032.**"

III. Tax Increment Limit³

The amount of tax increment that can be received is increased as follows:

"SECTION 1001 Methods of Financing the Project" (paragraph seven)

Deleted Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of **\$50,000,000.**"

New Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of **\$150,000,000.**"

IV. Eminent Domain⁴

The time period for initiation of eminent domain proceedings is extended as follows:

"SECTION 601 Extend of Acquisition, Demolition, and Clearance"

Deleted Text:

"As indicated in Section 203 hereof, this Project involves clearance, redevelopment and rehabilitation activities. Accordingly, the Agency will acquire by purchase, eminent domain, or otherwise, the real property shown as "subject to acquisition/Phase 1", which is currently in process, and the real property shown as "subject to acquisition/Phase 2", in Exhibit 4, "ACQUISITION PLAN", including improved or unimproved land, structures, improvements, easements, incorporeal hereditaments, estates, and other rights in land legal or equitable, and will demolish and clear all property of buildings, structures, or improvements located and herein necessary to prepare the land for its new uses.

³ Text and numbering based upon Ordinance No. 98-48 adopted June 30, 1998.

⁴ Text and numbering based upon Ordinance No. 98-48 adopted June 30, 1998

The acquisition of the real property shown as "subject to acquisition/Phase 2" in Exhibit No.4, "ACQUISTION PLAN" is proposed to facilitate the assembly of new sites for uses consistent with the Plan.

Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ~~1998 Ordinance becomes effective.~~

New Text:

"As indicated in Section 203 hereof, this Project involves clearance, redevelopment and rehabilitation activities. Accordingly, the Agency will acquire by purchase, eminent domain, or otherwise, the real property shown as property subject to acquisition in Exhibit 4, "Properties Subject to Acquisition" and attached hereto, including improved or unimproved land, structures, improvements, easements, incorporeal hereditaments, estates, and other rights in land legal or equitable, and will demolish and clear all property of buildings, structures, or improvements located and herein necessary to prepare the land for its new uses.

The acquisition of the real property shown in Exhibit No.4, "Properties Subject to Acquisition" is proposed to facilitate the assembly of new sites for uses consistent with the Plan.

Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the Ordinance adopting this Amendment becomes effective. The aforementioned time limit is applicable to specific properties only, as identified in the Plan. Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the Fresno Municipal Code.

V. Land Use and Development Controls

Article III "Land Use Plan and Article IV" "Land Use Provisions and Building Requirements" are deleted in their entirety and replaced by the following Article III Land Use and Development Controls.

Section 301 Land Use Plan

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the

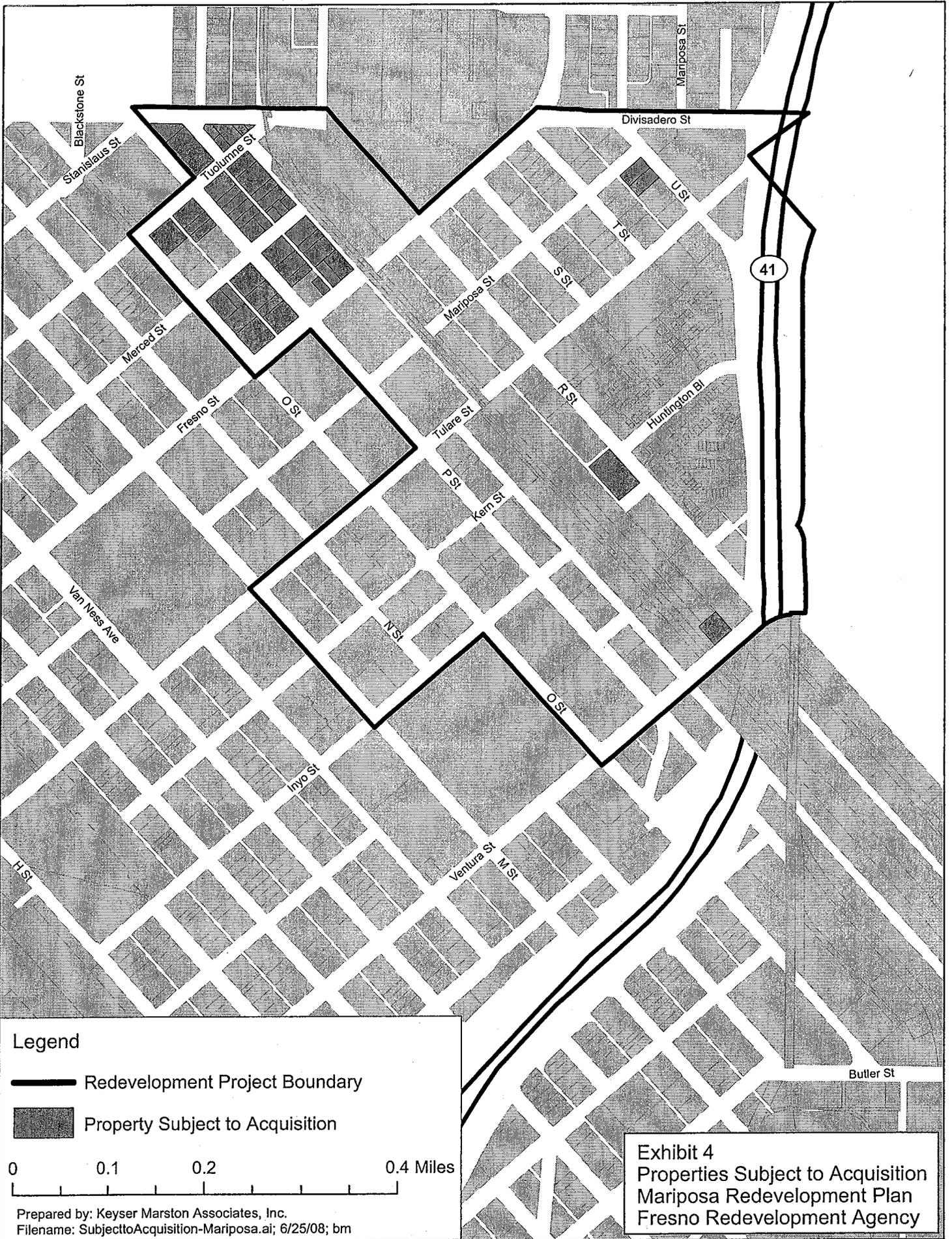
Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

VI. Delete Land Use Plan Map

The "Land Use Plan Map (Revised 1998)" is hereby deleted from the Plan, including any and all references with respect to the "Land Use Plan Map (Revised 1998)."

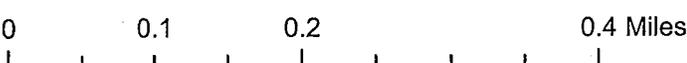
VII. Replace Acquisition Map

The map entitled "Exhibit 3, Acquisition Plan (Revised 1998)," is hereby deleted and replaced with "Acquisition Plan Map (Revised 2008)", attached hereto and incorporated herein by reference.



Legend

-  Redevelopment Project Boundary
-  Property Subject to Acquisition



Prepared by: Keyser Marston Associates, Inc.
 Filename: SubjecttoAcquisition-Mariposa.ai; 6/25/08; bm

Exhibit 4
 Properties Subject to Acquisition
 Mariposa Redevelopment Plan
 Fresno Redevelopment Agency

**SECOND AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
SOUTH VAN NESS INDUSTRIAL REDEVELOPMENT PLAN**

BACKGROUND

On June 30, 1998, by Ordinance No. 98-43, the City Council adopted a redevelopment plan for the South Van Ness Redevelopment Project (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan one (1) time by way of Ordinance No. 2008-9 adopted on February 26, 2008, in compliance with the provisions of the CRL (South Van Ness Project).

The Agency desires to amend the Redevelopment Plan (Second Amendment) to: 1) extend the debt establishment period; 2) extend eminent domain authority; and 3) cause the land use plan to be the General Plan and any applicable community or specific plans, as each may be amended from time to time.

The Redevelopment Plan, as amended, is hereby further amended as follows:

SECOND AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Debt Establishment

The period for establishing debt is extended as follows:

“B. [502] Tax Increment Funds” (section 3. paragraph four)

Deleted Text:

“The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project with tax increments ~~beyond twenty (20) years from the date of adoption of this Plan.~~ Loans, advances, or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establish more debt in order to fulfill the Agency’s housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502.”

New Text:

"The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project with tax increments beyond **ten (10) years from the date of adoption of the Second Amendment to this Plan.** Loans, advances, or indebtedness may be repaid from tax increments over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establish more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502."

II. **Eminent Domain**

The period for commencement of eminent domain is extended as follows:

D. [308] Property Acquisition

1. [309] Real Property (paragraph two)

Deleted Text:

"It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. In cases where such purchase cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through the exercise of its power of eminent domain, which must be commenced within twelve (12) years from the date the ordinance adopting **this Plan** becomes effective."

New Text:

"It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. In cases where such purchase cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through the exercise of its power of eminent domain, which must be commenced within twelve (12) years from the date the ordinance adopting this **Amendment** becomes effective." Notwithstanding the foregoing or any

other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the Fresno Municipal Code.

III. Land Use

Section 400 "Uses Permitted in the Project Areas" is deleted and replaced in its entirety as follows:

IV. [§400] LAND USES

A. [§401] Land Use

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

IV. Delete Redevelopment Land Use Map

The "Redevelopment Land Use Map" is hereby deleted from the Plan, including any and all references with respect to the "Redevelopment Land Use Map."

**NINTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
WEST FRESNO ONE REDEVELOPMENT PLAN**

BACKGROUND

On October 1, 1964, by Ordinance No. 6517, the City Council adopted a redevelopment plan for the West Fresno Project One Urban Renewal Plan (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan eight (8) times by Ordinances 6601 adopted on April 1, 1965, 71-48 adopted on May 6, 1971, 77-46 adopted on May 10, 1977, 86-200 adopted on December 16, 1986, 94-120 adopted on December 6, 1994, 98-49 adopted on June 30, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (West Fresno One Project).

The Agency desires to amend the Redevelopment Plan for the West Fresno One Project (Ninth Amendment) to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; 4) extend eminent domain authority; and 5) cause the land use plan to be the General Plan and any community plans or specific plans, as each may be amended from time to time.

The Redevelopment Plan, as amended, is hereby further amended as follows:

NINTH AMENDMENT

I. Duration of Plan and Covenants¹

The period for Plan duration is extended as follows:

“SECTION 306 Duration of Plan and Covenants”

Deleted Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 1, 2012**; provided, however, that, subject to the limitations set forth in Section 1103 of this

¹ Text and numbering based on Ordinance No. 98-49 adopted June 30, 1998 as amended to include ERAF extensions.

Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 1, 2022**; provided, however, that, subject to the limitations set forth in Section 1103 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. **Debt Repayment and Receipt of Tax Increment**²

The time limit to repay debt and collect tax increment is extended as follows:

“SECTION 501 Methods of Financing the Project” (paragraph 8)

Deleted Text:

“The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 501 beyond **January 1, 2022**”

²Text and numbering based on Ordinance No. 98-49 adopted June 30, 1998 as amended to include ERAF extensions.

New Text:

"The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 501 beyond January 1, 2032"

III. Tax Increment Limit³

The amount of tax increment that can be received is increased as follows:

"SECTION 501 Methods of Financing the Project" (paragraph 7)

Deleted Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of ~~\$9,000,000.~~"

New Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of \$27,000,000."

IV. Eminent Domain⁴

The time period for initiation of eminent domain proceedings is extended as follows:

"SECTION 204 Major Responsibilities of the Agency" (paragraph A.2)

Deleted Text:

Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ~~1998 Ordinance becomes effective.~~"

³ Text and numbering based on Ordinance No. 98-49 adopted June 30, 1998.

⁴ Text and numbering based on Ordinance No. 98-49 adopted June 30, 1998.

New Text:

Eminent domain proceedings, if used must be commenced within twelve (12) years from the date the **Ordinance adopting this Amendment becomes effective.**

V. Land Use

Article III "Land Use Plan" is deleted in its entirety and replaced with the following:

ARTICLE III LAND USE PLAN

Section 301 Land Use

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

VI. Delete Project Area Plan Map

The "Project Area Plan Map (Revised 1998)" is hereby deleted from the Plan, including any and all references with respect to the "Project Area Plan Map (Revised 1998)."

**SEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
WEST FRESNO TWO REDEVELOPMENT PLAN**

BACKGROUND

On December 19, 1963, by Ordinance No. 6384, the City Council adopted a redevelopment plan for the West Fresno Project Two Urban Renewal Plan (Redevelopment Plan or Plan) and subsequently amended the Redevelopment Plan six (6) times by way of Ordinances 67-14 adopted on April 13, 1967, 86-201 adopted on December 16, 1986, 94-121 adopted on December 6, 1994, 98-50 adopted on June 30, 1998, 2008-9 adopted on February 26, 2008, and 2008-47 adopted on July 22, 2008, in compliance with the provisions of the CRL (West Fresno Two Project).

The Agency desires to amend the Redevelopment Plan (Sixth Amendment) to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; 4) extend eminent domain authority; and 5) cause the land use plan to be the General Plan and any related community plans or specific plan, as each may be amended from time to time.

SEVENTH AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Duration of Plan and Covenants¹

The period for Plan duration is extended as follows:

“SECTION 501 Duration of Plan and Covenants”

Deleted Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 1, 2012**; provided, however, that, subject to the limitations set forth in Section 1001 which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations.

¹ Text and numbering based on Ordinance No. 98-50 adopted June 30, 1998 as amended to include ERAF extension.

After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until **January 1, 2022**; provided, however, that, subject to the limitations set forth in Section 1001 which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. Debt Repayment and Receipt of Tax Increment²

The time limit to repay debt and collect tax increment is extended as follows:

“SECTION 1001 Methods of Financing the Project” (seventh paragraph)

Deleted Text:

“The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 1001 beyond **January 1, 2022**”

² Text and numbering based on Ordinance No. 98-50 adopted June 30, 1998 as amended to include ERAF extension.

New Text:

"The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 1001 beyond **January 1, 2032**"

III. Tax Increment Limit³

The amount of tax increment that can be received is increased as follows:

"SECTION 1001 Methods of Financing the Project" (seventh paragraph)

Deleted Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of ~~\$60,000,000.~~"

Proposed Text:

"The portion of taxes divided and allocated to the Agency pursuant to paragraph B. hereof shall not exceed a cumulative total of \$120,000,000."

IV. Eminent Domain⁴

The time period for initiation of eminent domain proceedings is extended as follows:

"SECTION 204 Major Responsibilities of the Agency" (paragraph A.2)

Deleted Text:

Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ~~1998 Ordinance becomes effective.~~"

New Text:

Eminent domain proceedings, if used must be commenced within twelve (12) years from the date the Ordinance adopting this Amendment becomes effective."

³ Text and numbering based on Ordinance No. 98-50 adopted June 30, 1998.

⁴ Text and numbering based on Ordinance No. 98-50 adopted June 30, 1998 as amended to include ERAF extension.

V. Land Uses

Article III – Land Use Plan and Article IV – Land Use Provisions and Building Requirement are deleted and replaced in their entirety with the following:

ARTICLE III LAND USE PLAN

Section 301 Land Use

The land uses permitted in the Project Area shall be the land uses permitted pursuant to the General Plan, and any applicable community plans and specific plans adopted for the Project Area, as amended from time to time. Specific permitted uses within the Project Area are those that are permitted, or conditionally permitted by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

VI. Delete Project Area Plan Map

The "Project Area Plan Map (Revised 1998)" is hereby deleted from the Plan, including any and all references with respect to the "Project Area Plan Map (Revised 1998)."

**Fresno Merger No. 1 Redevelopment Plan
Amendments Project**

**Final Subsequent
Environmental Impact Report**

State Clearinghouse #2008081011

Prepared for:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Contact: David Martin
(559) 621-7630

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April 2010

ICF Jones & Stokes. 2010. *Fresno Merger No. 1 Redevelopment Plan Amendments Project: Final Environmental Impact Report*. State Clearinghouse #2008081011. April. (ICF J&S 00337.09.) Bakersfield, CA. Prepared for Redevelopment Agency of the City of Fresno.

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Appendix A Mitigation Monitoring and Reporting Program

Appendix B Excerpt of the City's General Plan Containing Historic Resources Objectives and Policies

Acronyms and Abbreviations

1998 EIR	Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009, prepared in June 1998
Agency	Redevelopment Agency of the City of Fresno
California Register	California Register of Historical Resources
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
City	City of Fresno
CPUC	California Public Utilities Commission
CRL	California Redevelopment Law
DPR	California Department of Parks and Recreation
Draft SEIR	Draft Subsequent Environmental Impact Report
Final SEIR	Final Subsequent Environmental Impact Report
HPC	Historic Preservation Commission
IS	Initial Study
Local Register	Local Register of Historic Resources
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
National Register	National Register of Historic Places
ND	Negative Declaration
NOA	Notice of Availability
NOP	Notice of Preparation
NO _x	oxides of nitrogen
PM ₁₀	particulate matter less than or equal to 10 microns in diameter
PRC	California Public Resources Code
Project	Fresno Merger No. 1 Redevelopment Plan Amendments Project

Purpose

The Redevelopment Agency of the City of Fresno (Agency) and the City of Fresno (City) are collectively the Lead Agency pursuant to the California Environmental Quality Act (CEQA), and they have prepared this Final Subsequent Environmental Impact Report (Final SEIR) for the Fresno Merger No. 1 Redevelopment Plan Amendments Project (Project). This Final SEIR includes all the contents required as outlined in Section 15132 of the State CEQA Guidelines, including:

- the Draft Subsequent Environmental Impact Report (Draft SEIR) or a revision to the draft;
- comments and recommendations received on the Draft SEIR;
- a list of persons, organizations, and public agencies commenting on the Draft SEIR;
- the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- any other information added by the Lead Agency.

This Final SEIR for the Project consists of comments on, responses to comments on, and errata for the Draft SEIR. This Final SEIR is intended to be used along with the Draft SEIR, which is incorporated by reference and bound separately.

The Draft SEIR prepared for the Project was circulated for public review from February 2, 2010, through March 19, 2010. Comments were received during the public review period. Copies of these letters are provided in Chapter 2, “Comments Received and Responses to Comments,” of this Final SEIR.

The Lead Agency may also adopt Findings of Fact and a Statement of Overriding Considerations if its deliberations concerning the Project result in approval of the Project.

This Final SEIR assembles all the environmental data and analyses that have been prepared for the Project, including public and agency comments on the Draft SEIR and responses by the Lead Agency to those comments. The Draft

SEIR and technical appendices are available for public review at the Agency's office at 2344 Tulare Street, Suite 200, Fresno, CA 93721. The intent of the Final SEIR is to provide a forum to air and address comments pertaining to the analysis contained in the Draft SEIR and to provide an opportunity for clarification, corrections, or minor revisions to the Draft SEIR as needed.

The evaluation and response to comments are an important part of the CEQA process because they allow the following:

- the opportunity to review and comment on the methods of analysis contained in the Draft SEIR;
- the ability to detect any omissions that may have occurred during the preparation of the Draft SEIR;
- the ability to check the accuracy of the analysis contained within the Draft SEIR;
- the ability to share expertise; and
- the ability to discover public concerns.

Process

The Draft SEIR was distributed to various public agencies, organizations, and individuals on February 2, 2010, for a 45-day public review period established by the State Clearinghouse of the Governor's Office of Planning and Research. The review period ended on March 19, 2010. The Lead Agency used several methods to elicit comments on the Draft SEIR. The Notice of Availability (NOA) and/or copies of the Draft SEIR were mailed to various agencies and organizations and to individuals who had previously requested such notice. The Draft SEIR was available for review at the following locations:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Library
2420 Mariposa Street
Fresno, CA 93721

The Draft SEIR was also made available for review on the Agency's website at www.fresnorda.com. Additionally, the Project was discussed at both the February 22, 2010, and March 22, 2010, meetings of the City's Historic Preservation Commission (HPC); both meetings were open to public comment.

Pursuant to Section 15088 of the State CEQA Guidelines, the Lead Agency for the Project has reviewed all comments received on the Draft SEIR. Responses to these comments are contained in Chapter 2, “Comments Received and Responses to Comments,” of this Final SEIR. Any revisions to the Draft SEIR based on these comments are presented in Chapter 3, “Errata to the Draft SEIR,” of this Final SEIR in revision-mode text (i.e., deletions are shown with ~~striking through~~, and additions are shown with underline).

Chapter 2

Comments Received and Responses to Comments

Introduction

In accordance with Section 15088 of the State CEQA Guidelines, the Lead Agency has evaluated the comments received on the Draft SEIR for the Project, and has prepared written responses to these comments. This chapter provides copies of the comments received during the public review process and provides an evaluation and written responses for each of these comments.

Comments Received

Before the close of the public review period for the Project on March 19, 2010, the Lead Agency received four comment letters from government agencies and private parties. Additionally, three emails and one memorandum were received commenting about the Project before the close of the public review period. Two comment letters (Comments F and H) were received after the close of the public review period; as a courtesy, the Lead Agency has responded to these letters in this Final SEIR. The Governor's Office of Planning and Research sent a letter (Comment G) stating that their office did not receive any comments during the public review period and that the Lead Agency has complied with the draft environmental review requirements pursuant to CEQA. Public testimony regarding the Draft SEIR was taken during both the February 22, 2010, and March 22, 2010, meetings of the City's HPC. The public's concerns were considered by the HPC during the preparation of their formal comments on the Draft SEIR (see Comment F).

The commenting parties are listed below. Where a commenter submitted more than one comment, the comments are grouped together. Each of the commenting parties is labeled with a letter corresponding to the comment letter, email, or memorandum and the responses to comments provided herein. Where the commenting party submitted more than one comment, each comment letter, email, or memorandum is denoted with a small letter (a, b, c, d).

A. Jeanette Jurkovich

- a. Email Dated February 11, 2010
 - b. Email Dated February 19, 2010
 - c. Email Dated February 23, 2010
 - d. Letter Dated March 14, 2010
- B. California Department of Transportation, Office of Transportation Planning, District 6, Joanne Striebich (Letter Dated February 18, 2010)
- C. Fresno Metropolitan Flood Control District, Mitzi Molina, Engineer II (Letter Dated March 9, 2010)
- D. Issac Weil (Memorandum Dated March 10, 2010)
- E. California Public Utilities Commission, Moses Stites, Rail Corridor Safety Specialist (Letter Dated March 17, 2010)
- F. City of Fresno Historic Preservation Commission, Karana Hattersley-Drayton, Historic Preservation Project Manager/Secretary (Letter Dated March 24, 2010)
- G. Governor's Office of Planning and Research, Scott Morgan, Acting Director (Letter Dated March 24, 2010)
- H. San Joaquin Valley Air Pollution Control District, David Warner, Director of Permit Services, and Arnaud Marjollet, Permit Services Manager (Letter Dated March 31, 2010)

Comments and Responses to Comments

This section includes responses to all written comments on the Draft SEIR received by the Lead Agency in accordance with Section 15088 of the State CEQA Guidelines. In accordance with the State CEQA Guidelines, responses are prepared for these comments that address the sufficiency of the document regarding the identification of environmental impacts and methods to avoid or mitigate those impacts. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good-faith effort at full disclosure is made in an EIR (including SEIRs). Additionally, it should be noted that comments by a public agency should be limited to those aspects of a project that are within its area of expertise or that are required to be carried out or approved by the agency, and such comments must be supported by substantial evidence. (State CEQA Guidelines Section 15204.)

As noted in the responses to comments below, the Lead Agency has determined that minor revisions to the Draft SEIR are merited based on the comments received. Such changes are identified in Chapter 3, "Errata for the Draft SEIR," and are considered part of this Final SEIR.

Comment A.a

From: David Martin [David.Martin@fresno.gov]
Sent: Thursday, February 11, 2010 11:55 AM
To: Jerome M. Behrens; Harold Freiman; Eselman, Steve
Subject: FW: Merger I

-----Original Message-----

From: jjurkovich [mailto:jjurk@pacbell.net]
Sent: Thursday, February 11, 2010 11:48 AM
To: David Martin
Subject: Merger I

Hi, David:

Before I get too far into the Merger I DEIR, I have to ask a question.

Could you please tell me where the provision in CEQA is that that allows the RDA to collectively serve as lead agency with another agency?

I can't find that type of allowance in CEQA. It concerns me because there are some differences in CEQA provisions specific to RDA's. It could make for a later nightmare if the collective lead agency idea isn't allowable.

Since page ES-2 says the collective lead agency approach is pursuant to the CEQA provisions, I'm hoping ou please provide me with the cite to the authority? Thanks.

There is a book called Practice Under the California Environmental Quality Act. The book is a CEB and is cited as a source in briefings and court. Before we waste lots of time, if you don't have a cite to an authority, it might be good to take a look at section 3.4 (Guidelines Standards for Identifying the Lead Agency) as soon as possible. When two agencies have a substantial claim to act as lead agency under CEQA, an agreement can be made designating one or the other as the lead agency for the project.

I don't find anything that allows for collective lead agencies.

Thanks, I'll wait to hear from you, JJ

A.a-1

A. Jeanette Jurkovich

a. Email Dated February 11, 2010

Response to Comment A.a-1

The commenter questions whether it is permissible under CEQA (California Public Resources Code [PRC] Section 21000 *et seq.* and 14 California Code of Regulations [CCR] 15000 *et seq.*) for the Agency and the City to serve as “co-lead agency” for the purposes of CEQA.

PRC 21067 defines a “lead agency” as “the public agency which has the principal responsibility for carrying out or approving a project.” State CEQA Guidelines Section 15050(a) in turn states that “[w]here a project is to be carried out or approved by more than one public agency, one public agency shall be responsible for preparing an EIR. ... This agency shall be called the lead agency.”

In the present instance, both the City and Agency have approval authority over the Project because they share responsibility for overseeing the development of the Project Area. Under California Redevelopment Law (CRL) (Health and Safety Code Section 33000 *et seq.*), the City has empowered the Agency to undertake redevelopment activities in the Project Area. The Agency’s principal responsibility related to the Project is to oversee development in the Project Area in accordance with the mitigation proposed in the Draft SEIR, CRL, and approved City plans, goals, and policies. The City’s primary responsibility is to act as the permitting authority over development activities within the Project Area. The City’s permitting process will require prospective developers to comply with the mitigation measures to obtain permits within the Project Area. Because both the City and Agency have approval authority over the Project, both may serve as lead agency.

State CEQA Guidelines Section 15051(d) provides guidance regarding situations in which two or more public agencies have equal claim to lead agency, as do the Agency and City. It indicates that those agencies “may by agreement designate an agency as the lead agency” (State CEQA Guidelines Section 15051[d]). Section 15051(d) continues to state that “[a]n agreement may also provide for cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices” (emphasis added). In the approach taken in the Agency’s *Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009*, prepared in June 1998 (1998 EIR), and repeated in the SEIR, the two agencies are jointly exercising their powers as lead agency.

Furthermore, there is no case law that expressly states that such an approach is prohibited. One of the only published cases that discusses Section 15051(d) at length is *Planning & Conservation League v. Department of Water Resources*, (2000) 83 Cal. App. 4th 892. That case, however, focuses on the fact that the agencies involved selected the wrong single lead agency; there is no discussion of the possibility of co-lead agencies. Additionally, the Lead Agency is aware of multiple other instances in which co-lead agencies were designated; this can be confirmed by searching “co-lead” and “CEQA” on any internet search engine. For example, the Coachella Valley Water District was designated as a co-lead agency for a final EIR addendum with multiple other water and irrigation districts; the water district’s resolution cites State CEQA Guidelines Section 15051 as the authority for such designation (http://www.cvwd.org/news/publicinfo/RESOLUTION_APPROVING_ADDENDUM_2_TO_QSA_PEIR.pdf).

Importantly, the co-lead agency approach is consistent with the 1998 EIR. The Draft SEIR is a subsequent document to the 1998 EIR, which states that “[t]his EIR is intended to meet the City’s and Agency’s duties pursuant to the provisions and requirements of CEQA” (emphasis added) (1998 EIR, page 1-5). The City and Agency are identified together to define the public agencies with principal responsibilities for carrying out and approving the Project defined in the 1998 EIR throughout the document. Additionally, the 1998 EIR’s Notice of Preparation (NOP) and Resolution 98-190 (which is the resolution to certify the 1998 EIR and adopt its mitigation) explicitly identified the Agency and City as “co-lead agencies.” This designation was unchallenged and remained in place for more than a decade. For consistency with the 1998 EIR, the Agency and City are continuing this co-equal relationship in this Draft SEIR. Moreover, because of the prior designation as co-lead agencies, it would be improper to now change the lead agency designation for this subsequent environmental document.

Comment A.b

From: John Raymond [John.Raymond@fresno.gov]
Sent: Friday, February 26, 2010 1:25 PM
To: Jerome M. Behrens
Cc: Esselman, Steve; David Martin; Jerry Freeman; Marlene Murphey; John Fox;
Karana Hattersley-Drayton; Keith Bergthold
Subject: FW: Merger I

Here's her original response from last week after we sent the answer to her question on co-lead agencies.

-----Original Message-----
From: jjurkovich [mailto:jjurk@pacbell.net]
Sent: Friday, February 19, 2010 5:24 PM
To: John Raymond
Subject: RE: Merger I

John:
Thank you for your response. Sure, if you have that Agreement I'd like to see the Agreement. If there isn't an Agreement yet, this DEIR is prematurely circulated. We need the transparency. Let me know because I don't want to start reviewing this and then have to back track because I have a misunderstanding of how this will be implemented.

That the agencies couldn't come to an agreement using the criteria in the Guidelines is a little troubling. However, they do have the option to create an agreement for cooperative efforts. What will govern if the two fall into a dispute? The Agreement should tell us. We have about 1900 acres of our core downtown in the deal.

And the terms of this Agreement should all be in the back of our minds as we read this new draft EIR. Frankly, unless there is good reason, this type of agreement could make it more costly for citizens to enforce CEQA. It could complicate a lot of other issues, too. For example, take a look shifts in lead agencies and the ramifications it can mean for citizens.

The concept of lead agency and how CEQA duties will be handled over time can be complex, as we learned in Armenian Town. We already don't have an implementation policy that includes all the issues suggested in the Guidelines. The RDA and the City should provide complete transparency in this issue. And we should have time to review the ramifications of the change.

Thank you.

JJ

--- On Fri, 2/19/10, John Raymond <John.Raymond@fresno.gov> wrote:

> From: John Raymond <John.Raymond@fresno.gov>
> Subject: RE: Merger I
> To: "jjurk@pacbell.net" <jjurk@pacbell.net>
> Cc: "David Martin" <David.Martin@fresno.gov>, "Jerry Freeman"
> <Jerry.Freeman@fresno.gov>
> Date: Friday, February 19, 2010, 4:00 PM Hi Jeanette,
>
> David Martin forwarded me your email of last week and we wanted to be
> sure to get back to you soon with an answer. He's out of the office
> today so I'm sending the response.
>
> The 1998 Program EIR NOP and Resolution 98-190 identified the City and
> RDA as co-lead agencies. The designation was used again for the
> current Draft SEIR in order to provide for consistency.

A.b-1

b. Email Dated February 19, 2010

Response to Comment A.b-1

This comment requests that the Lead Agency circulate any written agreement between the Agency and the City setting forth the agreement between them to proceed as co-lead agencies. CEQA does not require such a written agreement, and there is no formal written agreement between the Agency and the City. Please see Response to Comment A.a-1, which discusses State CEQA Guidelines Section 15051(d), which authorizes “cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices” (emphasis added). In the approach taken in the 1998 EIR and repeated in this SEIR, the two agencies are jointly exercising their powers as lead agency.

The commenter further suggests that the Draft SEIR was prematurely circulated to the extent that no written agreement memorializing the co-lead agency decision exists. Because CEQA does not require such an agreement, the Draft SEIR was not circulated prematurely and has been circulated in accordance with CEQA.

The commenter also notes that “how CEQA duties will be handled over time can be complex.” For that reason, the Draft SEIR specifically defines which entity is responsible for implementing the requirements of the mitigation measures found in the Draft SEIR. For the mitigation requirements in the Draft SEIR, “City” means that the City of Fresno is solely responsible for effectuating requirements, and “Agency” means that the Redevelopment Agency of the City of Fresno is solely responsible. The Mitigation Monitoring and Reporting Program (MMRP) report appended to this Final SEIR (Appendix A) further and explicitly defines who is responsible for implementing each mitigation measure, as well as timeframes for the implementation of each measure.

Comment A.c

From: John Raymond [John.Raymond@fresno.gov]
Sent: Friday, February 26, 2010 1:22 PM
To: Jerome M. Behrens
Cc: Esselman, Steve; Jerry Freeman; David Martin; Marlene Murphey; John Fox;
Karana Hattersley-Drayton; Keith Bergthold
Subject: FW: Merger I

This is Jeannette Jurkovich's follow-up to Monday's HPC meeting.

-----Original Message-----

From: jjurkovich [mailto:jjurk@pacbell.net]
Sent: Tuesday, February 23, 2010 1:06 PM
To: John Raymond
Subject: Merger I

Hi, John:

Enjoyed talking with you last night and I'm looking forward to our future field trip to look at restored homes.

Last night's discussion got me to thinking quite a bit. Mostly, I'm frustrated with how long it takes to get environmental reviews accomplished. I don't think it makes a lot of sense for RDA to continually expect citizens or other agencies to challenge facially flawed documents because it only delays things more.

A.c-1

We have a draft Program EIR that has a process to identify historic resources and then a conclusion saying impacts to historic resources will be significant and unavoidable.

That isn't a complete draft program EIR. I think that is why I saw such confusion on the part of the HPC last night. They weren't reviewing a full proposal, they were trying to figure out how to make it a full proposal.

Here is what I'm thinking.

CEQA Guidelines 15020:

Each public agency is responsible for complying with CEQA and these Guidelines. A public agency must meet its own responsibilities under CEQA and shall not rely on comments from other public agencies or private citizens as a substitute for work CEQA requires the Lead Agency to accomplish. For example, a Lead Agency is responsible for the adequacy of its environmental documents. The Lead Agency shall not knowingly release a deficient document hoping that public comments will correct defects in the document.

A.c-2

Some times, I feel like RDA is playing the "see-if-we-can-get-away-with-it" game. If I am incorrect, I apologize. It is just how it feels.

I wasted a ton of my time when RDA tried to pass off the Merger I with a MND. That was really CEQA 50, not even CEQA 101. Someone in RDA had to have known if a project will result in potentially significant impacts, and EIR must be prepared. (Or maybe they read the Community Redevelopment Law that always uses the term EIR when it refers to adoption or amendments of plans.) Then, when the RDA tried to remove the unimplemented survey mitigation measures I wrote another book. (RDA and a citizen's group had this issue of revising mitigation measures considered at Superior and Appellate levels. I know RDA had to have known better on that one.) Now we have a Program EIR that stops short of doing what CEQA requires.

To explain what I mean, for example, once the Program EIR has figured out how to identify historic resources, the document does not identify how those

Page 1

potential resources might be impacted nor does it identify the feasible mitigation measures that might be adopted to mitigate those different potential impacts. It doesn't analyze cumulative impacts. It doesn't recognize it is a tiered environmental document that is designed to recognize issues that are ripe for review and insure issues that are not yet ripe will be reviewed later.

A.c-2
cont'd

What we have is a document that figured out how to identify historic resources and then has merely concluded significant impacts would be significant and unavoidable. This isn't acceptable under CEQA.

To put it another way, if lead agencies could prepare a CEQA document that only figured out how to identify impacts (for any environmental issue) and then simply concluded cumulative impacts would be significant and unavoidable - wouldn't every agency be doing that? We wouldn't even need CEQA because it would serve no purpose.

A.c-3

Preparation of a document that is not deficient is what your consultant is paid to do (I assume). I don't know from my end if the lead agency limited the consultant's scope of work, or if the consultant doesn't know CEQA, or if the lead agency for this document (whichever one is lead) is telling the consultant to produce a document that might slip between the cracks. How can I know. I just know this is the third time around for me on this one and someone in whichever agency is the lead agency has had time to think about this. I have to believe it is like Commissioner Johnson said, RDA just doesn't understand redevelopment and preservation aren't mutually exclusive. If Fresno is ever going to be a world class city, it needs to figure that out.

A.c-4

All I know is either RDA or the City (whichever is lead for this document) has the duty to comply with CEQA. It cannot put this on me or the HPC. If that means the lead agency must do some research, so be it. RDA and the City both should know what their required duties are. (And we need to know what that agreement between the two agencies is about whose duty will be what and when.)

I'm getting tired of being blamed by RDA people (not you) for holding RDA accountable for what is actually their duty in the first place. I hope you understand. I know you aren't directly responsible for any of this.

A.c-5

This document needs to be pulled out of circulation and fixed by whichever agency is responsible for this document. That is the fastest and cheapest way to go. In fact, there is a quick fix available for the historic resource component. I'm willing to help you brainstorm in the drafting if you take that course of action and are willing.

A.c-6

But, for RDA to instead wait for the comment deadline, then pay to respond to the comments, then pay to issue the FEIR, and then pay to go to court is just not a course of action that serves to better Fresno.

A.c-7

Thanks for listening. Please add this letter to the Administrative record. I'd love to stop sending these.

A.c-8

See you next week. JJ

c. Email Dated February 23, 2010

Response to Comment A.c-1

The comment is noted. As set forth in the subsequent responses to comments, the Draft SEIR is not “facially flawed” and is in compliance with CEQA (PRC 21000 *et. seq.* and 14 CCR 15000 *et. seq.*).

Response to Comment A.c-2

The commenter indicates that the Draft SEIR “isn’t a complete draft program EIR.” The commenter suggests that the Draft SEIR is insufficient because the Draft SEIR “has a process to identify historic resources and then a conclusion saying the impacts to historic resources will be significant and unavoidable.” Further, the comment states that “[i]t doesn’t recognize it is a tiered environmental document that is designed to recognize issues that are ripe for review and insure [sic.] issues that are not yet ripe will be reviewed later.”

The commenter questions whether the process employed by the Lead Agency in addressing the Project’s impacts on historical resources was consistent with the requirements of CEQA. The commenter raises similar questions in subsequent comments submitted into the record. In an effort to address the broad concern raised by the commenter, this response addresses the overall process employed by the Lead Agency in addressing historical resources. As set forth below, the Draft SEIR’s analysis of historical impacts is consistent with CEQA.

1. The Draft SEIR fulfills its purpose as an informational document by providing sufficient information regarding the Project and analysis of potential impacts and mitigation that corresponds to the degree of specificity of the underlying Project.

The State CEQA Guidelines and case law provide direction on the informational requirements and analysis to be provided in the SEIR. Analysis in an EIR “need not be exhaustive” (State CEQA Guidelines Section 15151). Further, “[a] legally adequate EIR...must contain sufficient detail to help ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug” (*Kings County Farm Bureau v. City of Hanford*, (5th Dist. 1990) 221 Cal. App. 3d 692, 733). The EIR “must reflect the analytic route the agency traveled from evidence to action” (*Ibid*). Also, “[t]he degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR” (State CEQA Guidelines Section 15146[a]).

As described in further detail below, the Draft SEIR is a subsequent EIR to the 1998 EIR, which is a *program* EIR. As a *program* EIR, the degree of specificity will necessarily focus on secondary effects that can be expected to follow from

adoption, or amendment, as opposed to the specific effects of the later development (which will be subject to a separate, later environmental analysis). (State CEQA Guidelines Section 15146[b]).

With respect to historical resources, pages 3B-1 through 3B-8 of the Draft SEIR provide detail on the environmental setting of the Project, including the historic archaeological context, the historic context, and information known about each of the constituent project areas based on existing surveys. Pages 3B-8 through 3B-12 outline in significant detail the regulatory setting governing historical resources, including the procedure to consider such resources for inclusion in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), and/or Local Register of Historic Resources (Local Register) in conformance with California Office of Historic Preservation (OHP) guidance, the PRC, United States Code, the Code of Federal Regulations (CFR), the City's Historic Preservation Ordinance, and the State CEQA Guidelines (collectively referred to in this response as the "Historic Resources Regulatory Scheme").

Finally, pages 3B-12 through 3B-15 synthesize the complex regulatory scheme with the current information to identify any known significant impacts of the Project on historical resources. The Draft SEIR concludes:

Although it is unknown which specific historically significant buildings, if any, may be directly affected by future development, the buildings considered to be at greatest risk are those that have the following characteristics:

- are underutilized or are vacant;
- have multiple code violations and/or structural deficiencies;
- are in a declining state of repair;
- have high costs associated with rehabilitation such as asbestos removal;
- are considered to be economically or physically obsolete when compared to contemporary criterion;
- are designed and used for a different purpose than what is proposed by an applicant; or
- are non-conforming with regards to the General Plan policies or zoning codes.

Specific impacts on historical resources are not currently known and may not be known until project-specific review of development occurs because the proposed development will dictate the ultimate impact. However, the Draft SEIR clearly identifies the information that is currently known and then analyzes that information in light of the regulatory setting. Based on that analysis, the Draft SEIR appropriately concludes that there may be significant impacts on historical resources.

In light of the potentially significant impacts, the Lead Agency then appropriately analyzes whether any mitigation measures could reduce the potential impacts of the Project on historical resources. The Draft SEIR has identified Mitigation Measures CR-1 and CR-2 on pages 3B-16 through 3B-24, which are feasible mitigation measures to reduce impacts on historic resources as a result of the Project and are in conformance with the Historic Resources Regulatory Scheme. These mitigation measures require surveys of a significant portion of the Project Area in conformance with OHP standards for intensive-level surveys. This survey would aid future historic-resources surveys in the Project Area by providing context for these subsequent site-specific surveys for future development. These mitigation measures will complement existing state and local law, including the City's Historic Preservation Ordinance.

Notwithstanding these proposed mitigation measures, the Draft SEIR ultimately concludes that a significant and unavoidable impact remains, in part because future site-specific impacts are too speculative to accurately mitigate at this time. Such a conclusion is consistent with CEQA, which requires a Lead Agency to provide only the "degree of specificity required in an EIR [that] will correspond to the degree of specificity involved in the underlying activity which is described in the EIR" (State CEQA Guidelines Section 15146[a]). For a program EIR, that can mean a finding of an unavoidable impact because the impact is broadly known but cannot yet be fully mitigated because there is not sufficient detail regarding future site-specific development.

State CEQA Guidelines Section 15168(c)(1) requires preparation of an additional environmental document if a later activity would have effects that were not examined in the program EIR. To the extent that the specific impacts on a particular historic resource were not analyzed in the Final SEIR, a new Initial Study (IS) would have to be prepared to analyze those specific impacts, pursuant to the requirements of State CEQA Guidelines Section 15168(c)(1).

2. The Draft SEIR appropriately employs a tiered analysis of the historical resources issues consistent with CEQA.

The State Legislature has decided that "environmental impact reports shall be tiered whenever feasible, as determined by the lead agency" (PRC 21093[b]). Tiering is intended to allow agencies to avoid repetition, wasted time, and unnecessary premature speculation by preparing a series of EIRs on related projects (PRC 21093[a]). As noted in the preceding section, the Draft SEIR is an amendment to the 1998 EIR, which is a first-tier environmental document covering the Merger 1 Redevelopment Plan. As a result, the Draft SEIR, like the 1998 EIR, is a *program* EIR authorized by State CEQA Guidelines Section 15152(h) as one of the "various types of EIRs that may be used in a tiering situation." State CEQA Guidelines Section 15168(a) defines a program EIR as "an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) [g]eographically, [or] (2) [a]s logical parts of the chain of contemplated actions." The Draft SEIR is intended to update the analysis presented in the 1998 EIR based on changes in the Project

description. As part of that process and as set forth above, the Draft SEIR also has an obligation to describe all relevant information with a level of detail commensurate with the level of detail of the Project activity. Environmental analysis of specific proposed development within the Project Area will later be subject to second-tier environmental review that takes into account the details of the site-specific development.

“Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration; However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed” (emphasis added) (State CEQA Guidelines Section 15152[b]; *Stanislaus Natural Heritage Project v. County of Stanislaus*, [5th Dist. 1996] 48 Cal. App. 4th 182, 197–199). In *Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners*, (2d Dist. 1993) 18 Cal. App. 4th 729, 741–746, the court indicated that in preparing a first-tier EIR for a plan-level decision (unlike a single project-level EIR), an agency may defer certain analysis until later project-specific EIRs. “Where a lead agency is using the tiering process in connection with an EIR for a large scale planning approval, such as a general plan or component thereof...the development of detailed, site specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects on the planning approval at hand” (emphasis added) (State CEQA Guidelines Section 15152[c]).

To summarize the foregoing principles as they relate to the Project, the Draft SEIR must:

- provide the level of detail in analyzing potential impacts to match the plan amendment; and
- adequately identify significant effects.

As set forth above, the SEIR identifies the regulatory framework and all currently known information regarding historical resources. It also identifies the potentially significant effects on the planning approval at hand by acknowledging that historical-resources impacts are potentially significant. Later activities under the redevelopment plans will tier from this SEIR, as provided in State CEQA Guidelines Sections 15180 (program EIRs for redevelopment plans) and 15168 (program EIRs). To aid in the later environmental analysis, the Draft SEIR applies its analysis to identify Mitigation Measures CR-1 (which requires the Lead Agency to conduct a historic-building survey and archaeological survey of the South Van Ness, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas) and CR-2 (which sets forth a detailed survey protocol to be applied to all future development). This approach complies with State CEQA Guidelines Section

15152(c), which allows deferral of site-specific mitigation, such as mitigation related to potential impacts on historical resources, until second-tier environmental review so long as the underlying program EIR does not avoid the identification of significant effects where they are known.

3. The Mitigation Monitoring Program appropriately defers identification of certain mitigation measures until further information is known.

CEQA also permits a lead agency to defer identification of certain mitigation measures until further information is known where the mitigation measures that are identified: 1) commit the agency to a realistic performance standard that will ensure mitigation of the significant effect, and 2) disallow the occurrence of physical changes to the environment unless the performance standard is or will be satisfied (*Endangered Habitats League, Inc. v. County of Orange*, [2005] 131 Cal. App. 4th 777, 793–794). The Draft SEIR applies this principle to historic-resources mitigation by augmenting mitigation measures identified in the 1998 EIR to provide a process for developing and identifying suitable mitigation measures for future development within the Project Area. The SEIR specifically identifies the requirement that additional surveys of existing resources be completed (Mitigation Measure CR-1). It also sets forth an explicit survey protocol that will be required for second-tier site-specific analysis, including selecting a surveying firm, conducting the surveys, and setting forth standards that will be required for subsequent mitigation (Mitigation Measure CR-2). Because the SEIR outlines realistic performance standards (guidelines for selecting the surveying firm, specific methodology for studies, etc.) and limits any construction until the survey is completed and final mitigation measures are determined (by requiring project-specific CEQA analysis), identification of specific mitigation measures may be deferred until the site-specific environmental analysis. (See Draft SEIR, pages 3B-15 to 3B-24).

4. The Lead Agency may adopt a statement of overriding considerations where foreseeable, unmitigated impacts remain.

Finally, the Draft SEIR analysis and ultimate conclusion that unmitigated impacts on historical resources will result from the Project is permissible under CEQA, so long as the Lead Agency makes findings to support and adopts a statement of overriding considerations to approve the Project (PRC 21081(b); State CEQA Guidelines Sections 15021[d], 15093). “CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable’” (State CEQA Guidelines Section 15093[a]).

This concept is critical when considering the commenter's position that the Draft SEIR jumps to an inappropriate conclusion that the impacts are significant and unavoidable. In fact, the requirement that a Lead Agency adopt a statement of overriding considerations where unavoidable impacts remain draws additional attention to the unavoidable-impacts analysis because the Lead Agency must weigh the Project's benefits against its unavoidable impacts. This scrutiny highlights the importance of the Draft SEIR fulfilling its purpose as an informational document, as described above.

Response to Comment A.c-3

This comment indicates that the Draft SEIR does not comply with CEQA because it describes how to identify historic resources, but does not provide sufficient analysis to conclude that impacts are significant and unavoidable.

Please refer to Response to Comment A.c-2 for a discussion of the historical-resources analysis, including the level of detail required and achieved by the Draft SEIR.

Additionally, the commenter appears to suggest that because the impacts will occur far into the future and are somewhat speculative, the Draft SEIR should not have reached an unavoidable impact conclusion and prescribed mitigation. While the Lead Agency concurs that some of the impacts are speculative at this tier of review, the Draft SEIR opted to take a conservative approach in reviewing historical resources and assumed the worst case potential impacts in the future for the sake of analysis and full disclosure. This approach in fact goes beyond of analysis required for a program level EIR, and is consistent with the intent of that CEQA should be interpreted so "as [i] to afford the fullest possible protection to the environment [ii] within the reasonable scope of the statutory language" (*Friends of Mammoth v. Board of Supervisors*, [1972] 8 Cal. 3d 247, 259, disapproved and superseded on other grounds). Provision of the augmented mitigation measures is also intended to assist the Lead Agency in processing future environmental documents by requiring additional analysis of historical resources to ensure that treatment of historical resources are consistent with the Historical Resources Regulatory Scheme when second-tier site-specific environmental review is conducted.

The greatest danger to historic resources is the risk that they will never be properly identified. The augmented mitigation measures will ensure that historic resources within the Project Area are appropriately identified so they can be addressed within the existing Historical Resources Regulatory Scheme. This process will ultimately ensure that historic resources are properly analyzed and feasible mitigation measures are applied on a site-specific basis.

Response to Comment A.c-4

The commenter is critical of the approach taken by the Lead Agency’s CEQA consultant in preparation of the Draft SEIR—specifically, the failure of the consultant to understand the requirements of CEQA and elements to include in the Draft SEIR regarding historic preservation.

The Draft SEIR was prepared by qualified consultants. ICF International (formerly Jones & Stokes) has prepared thousands of CEQA documents for projects of all sizes since the enactment of CEQA in 1970. In addition to their direct CEQA work, members of its staff authored the well-regarded *CEQA Deskbook* (published by Solano Press) and are active in teaching CEQA courses through the University of California Extensions at Davis, Irvine, and Los Angeles.

As discussed above in Response to Comment A.c-2, the Draft SEIR was prepared based on the following underlying assumptions. First, while analysis in an EIR “need not be exhaustive” (State CEQA Guidelines Section 15151), “a legally adequate EIR...must contain sufficient detail to help ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug” (*Kings County Farm Bureau v. City of Hanford*, [5th Dist. 1990] 221 Cal. App. 3d 692, 733). “The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in an EIR” (State CEQA Guidelines Section 15146[a]). The Draft SEIR reflects a good-faith and reasoned effort at the disclosure of environmental effects consistent with these assumptions, including specific, detailed analysis of the impacts on historical resources. The fact that the commenter disagrees with the conclusions of the Draft SEIR does not make it legally deficient or inadequate under CEQA.

The Agency agrees with the further comment that redevelopment and preservation are not mutually exclusive. For the purposes of CEQA, the key is whether such activities satisfy the objectives of this Project. However, there may be situations where redevelopment may result in the loss of historic resources. For that reason, the Draft SEIR concludes that the Project would have a significant and unavoidable impact. As a result and as discussed in Response to Comment A.c-2, the Lead Agency must then make findings and adopt a statement of overriding considerations if it determines that the benefits of the Project outweigh the potential impacts.

Please see Responses to Comments A.a-1 and A.b-1 for a discussion about the respective duties of the Agency and City as co-lead agency for this Project. As discussed in Responses to Comments A.a-1 and A.b-1, the Draft SEIR and the attached MMRP (Appendix A) clearly define which agency has the duty to implement each mitigation measure proposed in the Draft SEIR.

Response to Comment A.c-5

The commenter is expressing her opinion and is not commenting on the SEIR.
No response is necessary.

Response to Comment A.c-6

The Draft SEIR is in compliance with PRC 21000 *et. seq.* and the State CEQA Guidelines (14 CCR 15000 *et. seq.*), and therefore does not need to be recirculated.

Response to Comment A.c-7

The commenter is expressing her opinion and is not commenting on the SEIR.
No response is necessary.

Response to Comment A.c-8

As requested, the commenter's email dated February 23, 2010, is included in the Administrative Record, and her comments are responded to in this Final SEIR.

1

March 14, 2010

Comment A.d

Mr. David Martin
City of Fresno Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

RE: Merger I Draft Subsequent EIR (DSEIR) Comments

Dear Mr. Martin:

Thank you for the opportunity to review and comment on the subject DSEIR. The following comments are provided.

- 1) A fundamental purpose of an EIR is to identify ways in which a proposed project's significant environmental impacts can be mitigated or avoided. If a proposed project may result in significant impacts to historic resources, the lead agency is required to identify potentially feasible measures to mitigate (lessen or avoid) the significant adverse changes to the significance of the historic resource. The lead agency must also ensure all adopted mitigation measures for historic resources are fully enforceable through permit conditions, agreements or other measures (Guidelines 15064.5(b)(4).)

A.d-1

The program EIR does not accomplish these basic requirements. No enforceable mitigation measures have been identified to effectively avoid or eliminate any significant impacts to historic resources.

- 2) RDA's gloomy forecast of the project's unavoidable degradation of our historic resources is of little or no CEQA value without a pragmatic, concrete means identified to minimize or avoid the impacts. The SDEIR provides a bare conclusion the project's impact to historic resources will be significant and unavoidable. In other words, in the view of the DEIR, all historic resources involved in any project reviewed under this SDEIR can ultimately suffer a loss of significance through demolition, irreversible alterations, loss of integrity, etc — without any mitigation whatsoever. What might not be obvious to the reader is that no further CEQA review of impacts to historic resources would be required to occur under the proposed DSEIR.

A.d-2

The bare conclusion is made because the Agency has experienced difficulty in providing a reasonably detailed evaluation of potential impacts to historic resources at this stage of the project.

Realistically, the superficial analysis of the project's potential significant impacts to historic resources had to occur because most of the Merger I's 1900 acre project site has never been surveyed to identify historic resources. Two of the surveys mentioned are already between 16-34 years old. (While history doesn't change, the many buildings that were not 50 years old at the time of the surveys have now reached or exceeded their 50 year thresholds for review.)

2

Historic resource surveys are proactive planning tools used to *identify*, record and evaluate historic properties within a geographic area. These surveys provide the information needed to make informed planning decisions, *perform environmental reviews pursuant to CEQA*, etc.¹

A.d-2
cont'd

The review and analysis of historic resource impacts is a two step process. First, the historic resource must be identified and evaluated for its historic significance. Second, the proposed activity must be reviewed to determine whether the project will result in demolition or impairment of the physical characteristics that justify the resource's inclusion in the register. (If worthy historic resources have already been designated or identified as eligible in prior surveys, the first step is complete and the analysis can advance to the second step.)

Since substantial evidence is unavailable to support a detailed analysis of the 1900 acres, **the RDA has insufficient information available to support a full analysis of significant impacts to historic resources.**²

Even so, the agency's CEQA duties cannot be that easily or superficially dismissed. Public agencies are to take *all* action necessary to protect, rehabilitate and enhance the environmental quality of the state (PRC 21001, 21002.) Certainly there will be many feasible mitigation measures available to lessen or avoid significant impacts to historic resources during the course of the Merger I project extension.

In this case, the RDA should revise the DSEIR and focus on CEQA's provisions for tiered, *effective* environmental review. Tiering is ordinarily used to cover general matters in broad EIRs, such as the DSEIR. *A significant environmental impact is ripe for evaluation when the agency has sufficient reliable data to permit preparation of a meaningful and accurate report on the impacts.*

Subsequent tiered environmental review concentrates (is focused) on effects that can be mitigated but were not analyzed in the prior Program EIR. This tiered review allows agencies to reserve their detailed evaluation of site- specific environmental impacts and mitigation measures to the time when their severity and the likelihood of occurrence are more specifically known. The identification of feasible, enforceable mitigation measures is more effective when the project specific issues are ripe for review.

The DSEIR should be revised to comply with the provisions of CEQA and re-circulated.

- 3) CEQA's informational disclosure requirements cannot be satisfied simply by inserting a process that will be conducted to allow historic resources to be impacted (if staff demonstrates it has "reasonably explored and considered alternatives") in the future, however. Mitigation measures at the DSEIR's level of review should be adopted to specify the performance standards which would serve to

A.d-3

¹ The OHP is the source of the above information . Additional information was provided in the undersigned's Merger I NOP comment letter of 8/13/09, page 4 paragraph iii.

² The 2025 GP MEIR 10130, page VJ-4 recognized the same. For additional information refer to Responses to Written Comments for the MEIR 10130.

3

mitigate the significant effect of the project at the program level, and provide for tiered review at the subsequent project level if the impacts exceed what the DSEIR has analyzed. (As explained above, the DSEIR has insufficient information to analyze significant impacts at this level of program review.)

A.d-3
cont'd

For example, as CEQA points out, significant impacts to historic resources can generally be considered mitigated below a level of insignificance when the project will be conducted in a manner that is *consistent* with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preservation, Rehabilitation, Restoration, and Reconstructing Historic buildings (Weeks and Grimmer 1995).³

The DSEIR should draft and adopt this mitigation measure in an enforceable manner. Subsequent projects that would not, or could not, be completed in a manner consistent with the Standards and Guidelines (Weeks and Grimmer 1995) could then undergo further focused environmental review, in a manner that is consistent with CEQA's provisions.

If the subsequent project's impacts could be mitigated to a level of insignificance through the adoption of other mitigation measures, a Mitigated Negative Declaration would be prepared for the subsequent project. A focused EIR would be prepared if the subsequent project might result in potential historic resource impacts.⁴

Another performance standard could provide a description of the implementation procedures the RDA would employ to complete initial studies for subsequent projects under the DSEIR. For example, the implementation procedure could describe how the RDA would identify and review historic resource impacts for the 3 different classes of historic resources (mandatory, presumed and discretionary) described in CEQA. (Refer to comment #11 below.) This would provide citizens and decision makers with an improved understanding of the environmental consequences that may result from approval of this project as well as a standardized efficient/productive process to follow. (The process proposed in the DSEIR is inconsistent with CEQA provisions, unenforceable and provides no effective mitigation. The proposed process extracts public participation from the process and protection of the environment. Further, an initial study is not intended or required to provide the level of detail required in an EIR.)

- 4) RDA's proposed projects must be consistent with the General Plan. RDA's adopted redevelopment plans must also be consistent with the General Plan. The Merger I project's DSEIR makes a finding of significant and unavoidable impacts to historic resources with no further enforceable mitigation. This places the RDA's DSEIR in direct conflict with Fresno's 2025 General Plan's Goals 3 and 15, as well as the General Plan's Policies and Objectives articulated in G-10 and G-11.

A.d-4

³ As with any other CEQA decision, the Lead Agency must make its determination of a project's consistency based on substantial evidence in the record. In this case, project information must be measured for consistency against the Weeks and Grimmer 1995 publication. Internet sources that provide condensed excerpts from this publication are not an authorized substitution for this source.

⁴ A negative declaration would be prepared for projects that would not result in significant impacts to the historic resources.

4

The General Plan's Goals are a focal point of the 2025 General Plan's vision and were "identified through extensive discourse among elected office holders, professional staff, and representative advocates of the community." The detailed objectives and policies were formulated to carry out the General Plan's goals (GP, pg 2). Adopted in 2002, these Goals and Policies contained in the 2025 General Plan were considered in the MEIR 10130 to strengthen historic resource protection and conservation in Fresno. (The above mentioned implementation policy would aide in the alignment of RDA's practices and the Historic Resource Goals, Objectives and Policies contained in the General Plan.)

A.d-4
cont'd

The 2025 GP and MEIR 10130 and the proposed DSEIR provide opposite visions for the treatment of historic resources contained in 1900 acres of Fresno's core settlement area.

This DSEIR must insure subsequent projects are reviewed in a manner consistent with the City's General Plan (Guidelines 15152(e)). The General Plan's Goals, Policies and Implementation Measures have undergone significant change since the 1998 Merger 1 was adopted. The DSEIR must take these changes into account in this subsequent review of the Merger I project extension.

Contrary to CEQA's mandate, the Agency is not taking appropriate, effective action to protect, rehabilitate or enhance the environmental quality of the state's historic resources.

- 5) The DSEIR's finding of significant and unavoidable impacts to historic resources is also in conflict with the strong preservation goals, objectives and implementation measures contained in the Central Area Community Plan and Fulton Lowell Specific Plan. Further, the DSEIR is inconsistent with the 1999 Merger I EIR 10124's expressed requirement that all projects within the Fulton Redevelopment Plan area be carried out in a manner consistent with the Historic Preservation policies and implementation programs of the Fulton/Lowell Specific Plan (EIR 10124 pg 3.15-14).

A.d-5

Looking forward, one of the objectives for the newly initiated Specific Plan in downtown Fresno is to strengthen historic preservation activities. Since the new specific plan area will overlap with the area encompassed in Merger I project area, with revision, the DSEIR's provisions could provide a timely opportunity to proactively compare and align the City and RDA's approaches to move forward with unified vision for downtown's future. (Environmental reviews can assist in the implementation of land use plans.)

- 6) The City of Fresno's Historic Preservation Ordinance requires any project involving a designated historic resource (included in the Local Register) to be reviewed according to the terms and provisions of the Historic Preservation Ordinance.

The DSEIR, however, merely concludes approval of the Merger I project will result significant and avoidable impacts to historic resources--which would include all National, State or Local designated historic resources.

A.d-6

This could result in unintended consequences. The HPC can only approve projects involving designated historic resources *if* they can first make one of the required findings contained in the Ordinance. The City of Fresno adopted the Historic Preservation Ordinance (HP Ordinance) with the intent and purpose of protecting Fresno's designated historic resources.

RDA should review the HP Ordinance's required historic permit review process (and historic district review process). The environmental review of the Merger I project cannot occur in a vacuum and RDA must comply with local and state laws. The proposed DSEIR's provisions could unnecessarily set the stage leading to the denial of a number of projects involving designated resources.

A.d-6
cont'd

Obviously, this would not meet RDA's objectives and it certainly wouldn't meet preservation advocates' objectives, either. New development and preservation are not mutually exclusive activities. Economic development, a revitalized downtown, new development and historic preservation are mutually beneficial activities. For the sake of downtown revitalization efforts, the historic resource provisions contained in the DSEIR require revision to insure compatibility with the City's local laws.

- 7) The DSEIR's proposed MM CR-2 process (incorrectly referred to as a mitigation measure) provides an elaborate, lengthy historic resource identification procedure (which incidentally underscores the fact the RDA does not have sufficient information to prepare a meaningful, accurate analysis and report of the significant historic resource impacts at this level of DSEIR review.) Once the historic resource is identified, however, the RDA sheds its CEQA mandate and provides proposed procedures that demonstrate no effective way to lessen or avoid any significant impacts to the identified historic resources. We are only assured this process will allow us to know what will be lost!

The requirement for historic resource surveys to be conducted at the subsequent project review phase also appears to violate the intent of the initial study. The initial study determines whether a *potential* significant impact *may* result from the project approval and aids the lead agency in determining whether a negative declaration, mitigated negative declaration or EIR will be prepared. The initial study is not meant to determine whether there most certainly will, or most certainly will not, be a significant impact on the environment. Historic surveys are wonderful tools for proactive identification and planning and it would most likely be preferable to developers, decision makers and preservationists alike if all surveys had been conducted. But, that hasn't happened yet. In the meanwhile, as survey work continues, the level of review necessary to determine whether *potential* impacts to historic resources *may* result from approval of a submitted subsequent project application does not require the exhaustive effort proposed. The manner devised to *implement* the RDA's duties under the DSEIR must be consistent with the provisions of CEQA.

A.d-7

- 8) The distinction between a lead agency and responsible agencies is critical to the CEQA process. CEQA describes the roles and responsibilities of lead and responsible agencies. RDA proposes to adopt a "co-lead agency" approach for this program EIR. In a recent HPC meeting, staff explained a "joint exercise of powers" would be used to share lead agency duties between the City and the RDA. To the best of what could be ascertained, the City and RDA have not formalized a joint exercise of powers agreement to describe how the lead agency role would be carried out.

A.d-8

Citizens must be able to access an agreement to understand how the RDA and City propose to carry out their statutory lead agency responsibilities under CEQA. This can't be left up to last minute decisions made as issues arrive. The Lead Agency concept is fundamental to the CEQA process as a whole.

6

Further, the undersigned has been unable to locate any reference to a “co-lead agency” role in CEQA. Instead, it appears two agencies can formally agree to terms that cooperatively allow one agency to administer the terms of the joint exercise of powers agreement and serve as lead agency. The undersigned certainly does not purport to know the ins and outs of joint exercise of powers agreements. However, the RDA needs to describe what is intended and provide any agreements necessary to formalize the arrangement so the public can determine the CEQA ramifications of such an arrangement. In the alternative, the RDA could contact the Office of Planning and Research (OPR) and request OPR’s written opinion of the co-lead proposal for public review.

A.d-8
cont’d

The RDA should also inform members of the public and other responsible agencies of the reasons the CEQA criteria found in Guidelines 15051 (a-c), generally adequate to identify lead agency responsibilities, is deficient for Fresno’s circumstances.

- 9) Of particular concern is how the City will serve as “co-lead agency” for the DSEIR, when the proposed DSEIR will obstruct the historic preservation goals and policies reviewed in the City’s certified MEIR 10130.⁵ The MEIR recognized the goals and policies of the General Plan would work to *strengthen the protection* of historic resources. Allowing RDA to set out in an opposite direction that asserts all subsequent projects under the DSEIR will result in significant and unavoidable historic resource impacts (without any enforceable mitigation) within 1900 acres of our core downtown (where a significant concentration of historic resources exists) would certainly create new and significant information that could impact the continued adequacy of the City’s MEIR.

The City should perhaps be a Responsible Agency for this project’s DSEIR so that the City can challenge the DSEIR’s provisions (historic and otherwise) if the DSEIR is not revised and its approval creates inconsistencies in the City’s General Plan which would potentially damage the adequacy of the MEIR 10130. The City should perhaps also consider remaining a Responsible Agency because of the inconsistencies the DSEIR will create with the existing Community and Specific Plans.

A.d-9

(The potential obstruction of the General Plans Policies, Objectives and Goals also sheds light on errors contained in the “no-project” alternatives analysis. Page ES43 incorrectly considers the *no project* alternative would result in greater impacts to historic resources than would approval of the proposed project. This is not correct. If the no-project alternative was approved, subsequent projects that may result in significant impacts to historic resources would be reviewed under the MEIR 10130. The MEIR 10130’s tiering process complies with CEQA, provides for a tiered CEQA review of historic resource impacts and recognizes the GP’s Goals, Objectives and Policies serve to strengthen historic resource protections.)

- 10) The City is lead agency for the MEIR 10130, and the City is proposed to be a “co-lead agency” for the DSEIR. There is a 1900 acre overlap in the two project areas. Currently, proposed projects contained in the 1900 acres often undergo review under the MEIR 10130-- even if the subsequent project involves RDA activities. (Warehouse Row is a current example.)

A.d-10

Given these two environmental documents propose different outcomes for historic resource protections, what specific project circumstances will determine whether the City will decide to fulfill

⁵ I did not review or determine whether the DSEIR obstructed the GP Goals, Objectives or Policies of other Elements of the General Plan although for the sake of planning consistency that would be a valuable review to conduct.

7

its lead/co-lead agency duties under the MEIR 10130, or the final DSEIR? The terms of the “co-lead” agreement should inform us.

A.d-10
cont'd

11) Recommendations for subsequent review of historic resources.

Overview: At this stage of project review, the RDA lacks sufficient reliable data to permit the meaningful and accurate analysis of the potential significant historic resource impacts that may result from approval of this project. Therefore, the RDA needs to revise the DSEIR and provide for a tiered review of historic resource impacts. The revisions will require recirculation.

Under CEQA’s tiering provisions, lead agencies evaluate whether a later action (subsequent project) may cause significant environmental effects that were not examined in the previously adopted program EIR. As future projects are considered for approval, the agency examines them in light of the program EIR to determine whether another environmental document is required. In this case, if the activity might result in significant impacts to historic resources, the agency would complete an initial study to determine whether to prepare a negative declaration, a mitigated negative declaration or an EIR to provide the required focused review of impacts to historic resources.

As mentioned above, the identification and analysis of potential impacts to historic resources is a two step process. First, the historic resource must be *identified*. (Not all historic resources are contained on a list to allow immediate identification.) Once *identified*, the proposed activity must be reviewed to determine whether the proposed activity would result in impacts to the *significance* of the historic resource. (The definition of significant impacts to historic resources is provided in CEQA.)

A.d-11

Until such time as the project area has been surveyed for historic resources and old surveys have been updated, the RDA should describe the implementation measures it intends to follow to show how it will conduct its initial studies (IS) for projects involving the any of the 3 classes of historic resources described in CEQA (Mandatory, Presumed and Discretionary).

- This will allow citizens, city staff and elected officials to determine whether subsequent project review is occurring according to GP Objectives and Policies, and whether GP Goals will be accomplished in the 1900 acre project area.
- Disclosure of RDA’s future IS implementation methods will also allow members of the public, city staff and elected officials to understand how the RDA’s subsequent project reviews will comply with the intent and purposes of the HP Ordinance.
- Disclosure of the IS implementation procedures will enable members of the public and decision makers to better understand the environmental consequences of this project, and understand how RDA will fulfill its lead (or co-lead) agency duties under CEQA.

Of course, the proposed IS implementation process must be consistent with CEQA and the General Plan. It should also be conducted with an eye on the requirements and duties described in the Local Preservation Ordinance. The recommended procedure that follows would also require integration and adoption of the recommended mitigation measure described in Section 3 of this letter, above.

Historic resource impacts, not mitigated to a level of insignificance, would undergo subsequent environmental review.⁶

A.d-11
cont'd

The HP Ordinance assigns the HPC with the duty of identifying historic resources (FMC Section 12-1606(a)(1)).

General Plan Policies state, "Candidate" historic resources [discretionary resources] are to be identified in RDA project areas.⁷ (Emphasis added.)

Therefore, for purposes of this DSEIR, the following IS implementation procedure for subsequent review of projects which may result in significant impact to historic resources is recommended.

A. The Initial Study's review of Discretionary Historic Resources:

Discretionary Historic Resources are historic buildings, structures, objects, etc., that have not yet been designated, surveyed or otherwise identified as historic resources. Several General Plan Policies refer specifically to the identification of "candidate" (discretionary) resources in RDA plan areas. (Refer to footnote 7)

- i) All discretionary resources 50 years or older (45 years if preferred by RDA) within the subsequent project site will be reviewed by an objective, qualified preservation professional to identify those structures which meet the specific Criteria provided in the CEQA Guidelines 15064.5 (a)(3)(A-D). (Trained volunteers can assist in the identification work if their work is overseen by the Historic Preservation Specialist or the HPC.) A DPR form will be utilized for the review.⁸ The HPC will review the DPR and identify those discretionary

⁶ Lead agency decisions must be based on review of the whole of the project and supported with substantial evidence in the record. Mitigation measures must also be enforceable. Approval of projects proposed to be consistent with the Department of Interior Standards (Weeks and Grimmer 1995) must also be based on substantial evidence in the record and enforceable. The HPC will review the substantial evidence provided to determine whether the proposed project is consistent with the Standards and Guidelines and hence, mitigated to a level of insignificance.

⁷ Excerpts from General Plan Policy G-11-g:

Identify candidate and recognized historic resources in the early stages of plan preparation and policy development by coordinating historic preservation survey research with policies and design strategies (including landscaping and streetscape themes);

Integrate historic preservation into new development and redevelopment projects;

Redevelopment areas shall be screened for possible historic resources which would be adversely affected by the redevelopment proposal. More detailed assessments shall be done on register candidate properties, and recommendation for the treatment of those properties shall be forwarded through the Historic Preservation Commission to redevelopment planning staff;

Interdepartmental review procedures shall continue to insure that preservation policies are respected in community decision-making;

Uphold historic preservation policies included in all approved city land use plans

⁸ A formal survey of a project site will not *generally* be required for subsequent environmental review under the DSEIR because CEQA turns on the identification of *potential*, not *definite* impacts. An initial study is not required to reach the level of review contained in an EIR. Intensive level surveys conducted at the initial study stage would unnecessarily delay environmental review. For purposes of CEQA, HPC identification of whether the discretionary resource meets significance criteria in CEQA is adequate to determine whether the resource is a *historic resource* for purposes of CEQA. Surveys will be

resources that meet the significance criteria and will be considered historic resources for purposes of CEQA. (DPR forms will be retained for future reference and coordinated to aid with later survey work.)

A.d-11
cont'd

- ii) The Initial Study will determine whether activities proposed for the whole of the project may result in direct or indirect significant adverse change to the identified historic resource. (Consistent with CEQA, during this review, demolition activities will not be segmented or bifurcated from the whole project. Projects involving both ministerial and discretionary activities are combined to be considered discretionary actions in CEQA.)
- iii) Based on the Initial Study, a draft environmental document (Negative declaration, focused Mitigated Negative Declaration or focused EIR) will be prepared.
- iv) All necessary project information and the subsequent Draft Environmental Document will be submitted to the HPC for review and comment. (FMC 12-1606(b)(5). Consistent with CEQA, the Final environmental document will also be submitted for HPC review prior to certification.

B. Initial Study's Review of Potential Impacts to Designated Historic Resources:

The following applies to all mandatory and presumed historic resources. Historic resources designated on the State and National Registers are identified as mandatory historic resources for purposes of CEQA. Projects found eligible for the State and National Registers, consistent with CEQA are also mandatory historic resources. All historic resources designated for local significance are identified as presumed historic resources. All projects involving any historic resource included in the local register must be approved by the Historic Preservation Commission.

- i) Designated (mandatory and presumed) historic resources will be considered historic resources for purposes of CEQA review. The whole of the project will be reviewed for potential direct or indirect impacts to these historic resources. The initial study will be used to determine whether the subsequent project will be reviewed as a negative declaration, focused mitigated negative declaration or a focused EIR.
- ii) The subsequent final environmental document and required supporting project information and public testimony will be reviewed according to all provisions contained in the applicable historic resource permit review section of the HP Ordinance. (FMC Section 12-1617 and/or 12-1618)⁹. If, after review of the final environmental document, all evidence and testimony, the HPC can adopt any of the HP Ordinance's required findings, the HPC may approve the project. If approved, the HPC and will insure written approval is provided as required in the HP Ordinance.
- iii) Consistent with the Local Ordinance, all projects proposing consistency with the Standards and Guidelines publication by Weeks and Grimmer, 1995 will be reviewed by the HPC to determine whether the substantial evidence provided supports a finding of consistency with the Standards and Guidelines. If the HPC can adopt the required findings, written HPC approval of the project will be submitted as required.

C. The Initial Study's review of impacts to eligible or contributor properties and districts identified in prior surveys (of any age):

systematically conducted to use as proactive historic resource identification and planning tools. These surveys will simplify future subsequent project reviews.

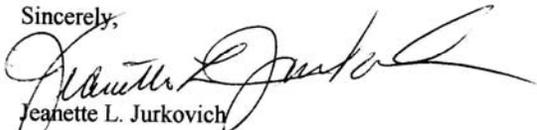
⁹ The HP Ordinance does not permit the HP to make findings or approvals based on draft environmental documents. The HPC may be provided with the draft environmental document for review and comment in the interest of expediting completion of the final environmental document, however.

10

- i) Until all surveys over 5 years of age are updated, any resources contained on older surveys identified as contributors or eligible for listing on the state, local or national register will be treated as historic resources for purposes of CEQA. Implementation of the DSEIR's initial study and environmental review will follow procedure A, beginning at step A ii. Structures that had not met the threshold for review in the prior survey, but which are now 50 years old, will be reviewed as described in A. | A.d-11
cont'd

Thank you for your consideration of the above comments. I'm available to answer any questions that may arise and look forward to the RDA's responses. Please include this letter in the administrative record. | A.d-12

Sincerely,



Jeanette L. Jurkovich
1130 W. Roberts, Fresno 93711
jjurk@pacbell.net

P.S. I am supplying these comments as a taxpayer holding a demonstrated interest in the preservation of historic resources. The Fresno County Superior Court determined that I qualify as a historic preservation expert for purposes of CEQA in *Debitin v. City of Fresno*. I am actively involved in multiple preservation efforts. I am a former member of the City of Fresno's Historic Preservation Commission and have regularly attended preservation courses provided by the State Office of Historic Preservation, California Preservation Foundation and National Trust for Historic Preservation. | A.d-13

d. Letter Dated March 14, 2010

Response to Comment A.d-1

The commenter states that if a proposed project “may result in significant impacts to historic resources, the lead agency is required to identify potentially feasible measures to mitigate (lessen or avoid) the significant adverse changes to the significance of a historical resource.” As set forth in Response to Comment A.c-2, this SEIR has met the CEQA requirements for a *program-level* EIR by analyzing the potential impacts of the Project on historical resources, identifying potentially significant effects, and evaluating mitigation measures to reduce the impacts. The detail provided is consistent with the level of activity of the Project. Furthermore, Section 3B of the Draft SEIR has identified two detailed mitigation measures (Mitigation Measures CR-1 and CR-2) that augment and are in addition to the mitigation measures identified in the 1998 EIR, which remain in effect. To the extent that even after adopting the mitigation measures the conclusion is that potential significant impacts remain, the Lead Agency will be required to adopt a statement of overriding considerations to approve the Project to the extent it finds that the benefits of the Project outweigh its unavoidable impacts.

The commenter further states that “[t]he lead agency must also ensure all adopted mitigation measures for historic resources are fully enforceable through permit conditions, agreements or other measures.” The Draft SEIR mitigation measures are enforceable as requirements of the Lead Agency under CEQA. Mitigation measures in the MMRP (Appendix A) are fully enforceable through permit conditions, agreements, and other measures. The MMRP designates a “Responsible Monitoring Agency” for each mitigation measure, which is the entity that is responsible to ensure compliance with each mitigation measure. Future development in the Project Area will be required to comply with all mitigation measures found in the MMRP, in addition to any mitigation measures defined in their second-tier project-specific environmental documents.

Response to Comment A.d-2

The commenter expresses her opinion that the Draft SEIR projects a “gloomy forecast” that the Project will have unavoidable impacts on historical resources. In a sense, the commenter is correct that the Lead Agency has developed a conservative analysis to address the potentially significant impacts on historical resources in an effort to ensure that future tiered environmental analysis of specific developments will adequately address potential impacts. The conclusion demonstrates the Lead Agency’s heightened sensitivity to these potential impacts.

The commenter further states that based on the analysis in the Draft SEIR, no further CEQA review of the impacts on historic resources would be required to occur for the Project. This statement is not accurate.

The Draft SEIR contains information from which to draw informed conclusions regarding the potential effects of future and yet to be defined activities under the Project. It does not include a survey of every site in the Project Area, but contrary to the comment, the mitigation measures will require an intensive-level survey for all future development and for a large portion of the Project Area (see Mitigation Measures CR-1 and CR-2). As detailed in Response to Comment A.c-2, it is appropriate to require further surveys of the area as mitigation, deferring the definition of specific mitigation until further information is known. This does not preclude a finding that at this time, the potential impacts on historical resources may be significant and unavoidable. This is not a “bare conclusion” as the commenter suggests. It is based on independent judgment in light of extensive existing information indicating that the Project Area contains substantial historical resources that would potentially be adversely affected by future development.

The commenter also misconstrues the concept of tiering and its application to the Project. Please refer to Response to Comment A.c-2 for a detailed discussion of the application of tiering for this Project.

The commenter requests that the Draft SEIR be recirculated. The responses to comments explain why the Draft SEIR complies with the requirements of CEQA. No recirculation is necessary.

Response to Comment A.d-3

This comment states that CEQA’s disclosure requirements cannot be satisfied by “inserting a process that will be conducted to allow historic resources to be impacted.” The commenter suggests that “mitigation measures at the DSEIR’s level of review should be adopted to specify the performance standards which would serve to mitigate the significant effects of the project at the program level, and provide for tiered review at the subsequent project level if the impacts exceed what the DSEIR has analyzed.” Please see Responses to Comments A.c-2 and A.c-3 for a discussion of the analysis of historical resources, including specifically the application of tiering for this Project and deferral of certain mitigation measures. As addressed in that discussion, the mitigation measures are drafted with sufficient performance standards and detail to allow for their effective implementation.

The commenter provides as an example of an appropriate performance standard that “significant impacts to historic resources can be generally considered mitigated below a level of insignificance when the project will be conducted in a manner that is consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Resources.” The commenter further suggests that the Draft SEIR notes that the Secretary’s of the Interior’s Standards should be adopted as a mitigation measure in “an enforceable manner.”

The commenter notes that the Lead Agency must make its determination of a project's consistency with the Secretary of the Interior's Standards based on the Weeks and Grimmer 1995 publication. The Secretary of the Interior's Standards were published in 1992. The 1995 *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, by Kay D. Weeks and Anne E. Grimmer, was subsequently developed in cooperation with the National Conference of State Historic Preservation Officers and reviewed by individual State Historic Preservation Offices nationwide. Standard professional practice among historic preservation experts who meet the qualifications set out in the Secretary of the Interior's Standards for historians, architectural historians, or archaeologists is to reference both of these documents when analyzing whether a project conforms to the Secretary of the Interior's Standards. At the same time, it is important to recognize that while the Secretary of the Interior's Standards are regulations (36 CFR 68), the Weeks and Grimmer publication is a set of guidelines intended to help historic preservation professionals interpret the Secretary of the Interior's Standards; it is neither regulatory nor a part of the Secretary of the Interior's Standards.

State CEQA Guidelines Section 15331 establishes a categorical exemption for projects that conform to the Secretary of the Interior's Standards (and holds that the impact of such conforming projects would be less than significant). However, this exemption does not mean that every project must meet those standards. Furthermore, the fact that this State CEQA Guidelines provision is not listed as a mitigation measure does not in any way limit the applicability of the State CEQA Guidelines exemption to any qualifying future development in the Project Area. As provided in the State CEQA Guidelines, those later projects that conform to the Secretary of the Interior's Standards will be assumed to have a less-than-significant impact, absent substantial evidence to the contrary.

A description of the process by which the Lead Agency determines significance under the three classes of resources is redundant to the steps set out in State CEQA Guidelines Section 15064.5. It need not be included in the SEIR.

The commenter further suggests that the mitigation measures are not enforceable by the Lead Agency. Please see Response to Comment A.d-1 for a discussion of the enforceability of the proposed mitigation measures.

Finally, the commenter raises the concern that because preparation of an IS for future project-specific development is not in itself a public process, proposed future development could somehow avoid analysis of the impacts on historical resources by adopting a Mitigated Negative Declaration (MND). However, as set forth in Response to Comment A.c-2, the Draft SEIR is a program-level environmental document. Subsequent environmental review will be required for specific developments within the Project. The level and type of review will depend on the specific project. Moreover, by adopting Mitigation Measures CR-1 and CR-2, the Lead Agency is providing a roadmap with defined performance standards for evaluating future impacts on historical resources. Those mitigation

measures will no doubt be further refined on a case-by-case basis through environmental analysis for specific development projects.

Further, preparation of an IS is a public process. As set out in the State CEQA Guidelines beginning with Section 15063, an IS is a public document. The related MND is subject to public notice and review before it may be adopted by the lead agency (State CEQA Guidelines Sections 15070 to 15075). The IS must be attached to the proposed MND when it is released for public review (State CEQA Guidelines Section 15073[c]). A Notice of Determination must be filed with the County Clerk whenever a project is approved based on an MND (State CEQA Guidelines Section 15075).

Response to Comment A.d-4

The commenter suggests that the Project is not consistent with the City's General Plan and therefore violates State CEQA Guidelines Section 15152(e). The commenter is correct that the Project must be analyzed for consistency with the current General Plan. As set forth below, the Project is consistent with the General Plan. As a preliminary matter, the Project description explicitly states that consistency with the current General Plan and future General Plan updates is part of the Project:

Amend the language found within the Constituent Development Plans for the Central Business District, Jefferson, Mariposa, West Fresno I, and West Fresno II, Fulton, and South Van Ness Industrial Constituent Project Areas to ensure that the Constituent Redevelopment Plans are consistent with the current General Plan and future General Plan updates and any applicable specific or community plans because the plans may be amended from time to time. (Draft SEIR, page 2-3.)

Furthermore, the Project complies with General Plan Goals 3 and 15, as well as its Historic Resources Objectives and Policies (Objectives G-10 and G-11 and related policies). An excerpt of the General Plan that includes Objectives G-10 and G-11 is appended to this Final SEIR (Appendix B). The following is a discussion of how the draft SEIR is compliant with these goals, objectives, and policies.

Goal 3: Preserve and revitalize neighborhoods, the downtown, and historical resources.

The Project is consistent with Goal 3. The Project mitigation measures provide for an intensive-level survey of a large portion of the Project Area and provide a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register. The surveys required by the mitigation measures will also guide in the determination of whether the historical resource falls within one of the definitions of a "historic resource" pursuant to State CEQA Guidelines

Section 15064.5, which will ensure that the impacts on such historic resources are fully disclosed and feasible site-specific mitigation measures are identified and applied. Use of the protocol for the successful inclusion of a historic resource into one of these registers would preserve historic resources. The Project does not affect the City's existing policies on the revitalization of areas. The Project does not supersede such policies. Therefore, the Project is consistent with Goal 3 of the General Plan.

Goal 15: Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity.

The Project is consistent with Goal 15. Mitigation Measure CR-1 provides for the identification of potentially significant historic resources and an explicit methodology to OHP standards for the inclusion of historic resources into the National Register, State Register, and/or Local Register. The mitigation measure requires a survey that will also guide in the determination of whether the historical resource falls within one of the definitions of a "historic resource" pursuant to State CEQA Guidelines 15064.5, which will ensure that the impacts on such historic resources are fully disclosed and feasible site-specific mitigation measures are identified and applied. As a result, the Project supports the City's goal by recognizing, respecting, and providing a plan for Fresno's cultural, social, and ethnic diversity through the careful consideration of its historic resources.

Objective G-10: Foster community pride, attract visitors and tourists to distinctive areas, provide recreational opportunities, enhance educational opportunities, and augment the body of scientific and historic knowledge through identification, appropriate recognition, and promotion of historic and cultural resources.

Please see Appendix B for the verbatim policy language associated with these objectives.

Policy G-10-a deals with establishing and reviewing criteria for characterizing historic resources. As noted above, the Project description requires amendment of the Project to comply with the General Plan policies. The proposed mitigation measures are consistent with the policy that the City will establish and review criteria for characterizing historic resources. For instance, the mitigation measures provide for an intensive-level survey of a large portion of the Project Area and provide a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register. Use of the protocol for the successful inclusion of a historic resource into one of these registers would assist in characterizing historic resources.

Policy G-10-b requires that historic resources be considered. The Project's mitigation measures do consider historic resources.

Policy G-10-c requires that unique prehistoric resources shall be considered. The Project's mitigation measures do consider prehistoric resources. Mitigation Measures CR-1 and CR-2 both consider prehistoric resources.

Policy G-10-d requires that a survey of the General Plan area be conducted. To assist in that effort, the Project requires an intensive-level survey of a significant portion of the Project Area, and provides a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register.

Policy G-10-e encourages the facilitation of community awareness of historic and cultural resources and public participation in related programs. The Project facilitates community awareness by requiring an intensive-level survey of a significant portion of the Project Area, as well as a survey protocol for Development Projects. These surveys will increase community awareness of Fresno's cultural resources. The Project does not discourage public participation in the survey process.

For the reasons set forth above, the Project is consistent with Objective G-10 and its policies.

Objective G-11: Safeguard Fresno's heritage by preserving resources which reflect important cultural, social, economic, and architectural features so that community residents will have a foundation upon which to measure and direct physical change.

Please see Appendix B for the verbatim policy language associated with these objectives.

Policy G-11-a requires the continuation and expansion of the City's comprehensive historic preservation program. This is a general policy issue for the City, which is beyond the scope of this Project. However, completion of the intensive historic surveys supports expansion of the City's comprehensive historic preservation program by identifying historic resources that are worthy of protection.

Policy G-11-b states that the City's HPC shall take a lead role in historic preservation activities. The Project makes no changes to the responsibilities and activities of the HPC or the City Council. Additionally, Mitigation Measure CR-2 requires that for "designated historical resources and those resources determined to be eligible for local, state, or federal level designation, mitigation and conditions of approval shall be conducted by the City's Planning and Development Department in concert with the City's Historic Preservation staff and with recommendations of the City's HPC." Therefore, the Project includes the HPC in a leading role in the evaluation process of cultural resources.

Policy G-11-c seeks the implementation and broadening of the resource conservation program as set forth by the Preservation of Historic Structures

Ordinance. The Project does not invalidate the Historic Preservation Ordinance. Notably, compliance with the Historic Preservation Ordinance is separate from compliance with CEQA. A site-specific project could be fully in compliance with CEQA, but the HPC could still find an impact on a historical resource, as that term is defined by the Historic Preservation Ordinance. The Project's mitigation measures provide a survey protocol for consideration of historic resources. Future development would need to be in compliance with the Historic Preservation Ordinance, as well as applicable local and state laws. The determination of such compliance is appropriate for a project-specific level of CEQA review.

Furthermore, compliance with the Historic Preservation Ordinance is separate from compliance with CEQA. This SEIR is in compliance with PRC 21000 *et. seq.* and the State CEQA Guidelines (14 CCR 15000 *et. seq.*), and future development that tiers off this SEIR will also be in compliance with CEQA, provided that its CEQA documentation adequately analyzes the environmental impacts of the future development and mitigates impacts to the extent reasonable and feasible. CEQA does not require full mitigation of all significant and unavoidable impacts, provided the approval authority provides sufficient reasoning why the benefits of a project outweigh the environmental costs. A future development could be fully in compliance with CEQA, but the HPC could determine that it will not approve the necessary building permits to proceed with the development because the HPC is unable to make the necessary findings under the Historic Preservation Ordinance to approve the permit affecting the historic resource, as that term is defined by the Historic Preservation Ordinance. This determination does not invalidate compliance with CEQA. Further the property owner of the site of the proposed development would still be afforded the opportunity to appeal the HPC's decision about the future development to the City Council for the final decision.

Policy G-11-d states that prehistoric resources shall be protected and provides general steps for such protection (e.g., if previously unknown prehistoric resources are found, then all work must stop immediately and a qualified expert must assess the find). Mitigation Measures CR-1 and CR-2 both consider prehistoric resources, and the language in the measures complements and is consistent with the language found in Policy G-11-d.

Policy G-11-e states that significant prehistoric finds shall be removed or preserved *in situ*. The Project's mitigation measures complement and are consistent with the language found in Policy G-11-e.

Policy G-11-f seeks the establishment of historic districts and protection of areas with significant architectural and historic resources. Consistent with this policy, the Project's mitigation measures encourage the establishment of historic districts and protection of areas with significant architectural and historic resources by allowing for the consideration of historic districts during the intensive surveys for a significant portion of the Project Area, including the Central Area Community Plan area (Mitigation Measure CR-1). Mitigation Measure CR-2 requires surveys

for future development projects through the use of the Primary and District Record forms (California Department of Parks and Recreation [DPR] 523 A and D) outlined in the survey protocol.

Policy G-11-g seeks the achievement of conservation goals through other community plans and programs, such as integrating historic preservation into new development and redevelopment early in the process, screening redevelopment areas for possible historical resources that could be adversely affected, interdepartmental review procedures, allowing the HPC to resolve historic-preservation objective conflicts, and upholding historic-preservation policies included in approved city land use plans. The Project's mitigation measures are consistent with Policy G-11-g.

Policy G-11-h seeks assistance in, or development of, new complementary and cooperative programs to promote the preservation of historic and cultural resources. Developing a new policy is outside the Project's scope and therefore not applicable to the Project.

Policy G-11-i seeks the development of methods to facilitate private ownership and upkeep of historic resources and encourages private reinvestment in historic resources. Developing a new policy is outside the Project's scope and therefore is not applicable to the Project.

For the reasons set forth above, the Project is consistent with Objective G-11 and its policies.

Response to Comment A.d-5

The commenter contends that the Project is in conflict with the Central Area Community Plan and Fulton/Lowell Specific Plan. The Project is not in conflict, and the Draft SEIR adequately addresses this issue.

The Draft SEIR's Project Area includes the Central Area Community Plan area and is consistent with the Central Area Community Plan's Historic Preservation Goal, Policies, and Implementation Actions. The Central Area Community Plan's Historic Preservation Goal is to "promote Fresno's heritage through preservation and restoration of historically and architecturally significant structures and districts in the Central Area." The Draft SEIR's Project Area also includes the Fulton/Lowell Specific Plan area and is consistent with the Fulton/Lowell Specific Plan's Historic Preservation Goal, Policies, and Implementation Actions. The Fulton/Lowell Specific Plan's Historic Preservation Goal is to "achieve historic preservation through the conservation and revitalization of historically and architecturally significant structures, resources, and districts within the Fulton/Lowell Area." Mitigation Measure CR-1 requires an intensive-level survey, and Mitigation Measure CR-2 is a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register.

Additionally, Mitigation Measure CR-2 requires that for “designated historical resources and those resources determined to be eligible for local, state, or federal level designation” mitigation and conditions of approval shall be conducted by the City’s Planning and Development Department in concert with the City’s Historic Preservation staff and with recommendations of the City’s HPC. Mitigation and conditions of approval imposed on a Development Project can include preservation, rehabilitation, and conservation. Therefore, the Project is consistent with the Historic Preservation Goals of these two plans.

The following are the Central Area Community Plan’s Historic Preservation Policies and Implementation Actions.

Historic Preservation Policy 1: Develop a master plan for restoration, rehabilitation, and/or relocation of historically and architecturally significant structures to ensure orderly and compatible development.

Implementation Action His 1-1: Expand and maintain a list of structures and districts to be considered for historic designation.

Implementation Action His 1-2: Encourage compatible infill developments in historically and architecturally significant areas.

Implementation Action His 1-3: Retain historically and architecturally significant structures by providing infill sites in historic districts.

Implementation Action His 1-4: Develop “walking tours” information brochures to promote historic values of the Central Area as well as promote achievements of the Historic Preservation Program.

Historic Preservation Policy 2: Encourage utilization of historic preservation programs to preserve Fresno’s history and architectural heritage in the Central Valley.

Implementation Action His 2-1: Identify and establish historic districts and plans for such areas as, but not limited to, the “L” Street area, Warehouse Row, the Van Ness/Fulton area north of Divisadero Street and Fulton Mall District.

Implementation Action His 2-2: Integrate historic preservation into new development and redevelopment projects.

Implementation Action His 2-3: Provide incentives for restoration or rehabilitation of historic structures to be incorporated into new development projects.

Implementation Action His 2-4: Encourage the use of “Historic Façade Easements” program.

Implementation Action His 2-5: Reestablish the Historic Preservation Commission and strive for the State designation as a City with a State certified historic preservation program.

Implementation Action His 2-6: Coordinate with the Historic Preservation Commission to evaluate and advise on the identification and implementation of priorities concerning historic preservation issues in the Central Valley.

Implementation Action His 2-7: Identify, promote, and participate in Federal and/or State-sponsored grants and demonstration project, such as the “Main Street Program” sponsored by the National Trust for Historic Preservation, that are directed toward historic structure revitalization and modern-day adaptive reuses.

Historic Preservation Policy 3: Develop proactive economic and development entitlement incentives for the preservation, rehabilitation, and/or relocation of historic structures within the Central Valley.

Implementation Action His 3-1: The City shall be the “purchaser of last resort” to acquire, move and inventory Historical structures on the Local Historic Register within the Central Area to other locations within the Central Area.

Implementation Action His 3-2: Establish criteria to prioritize the acquisition and inventory of historic structures and buildings for relocation based upon economic feasibility and a commitment of financial resources that does not materially detract from accomplishing other economic priorities of this Plan.

Implementation Action His 3-3: Evaluate and apply provisions of the State’s Historic Building Code ordinances to minimize disincentives that limit preservation and rehabilitation of historic buildings.

Mitigation Measures CR-1 and CR-2 satisfy Implementation Action His 1-1 because the measures would help expand the existing list (contained in the plan) of structures and districts to be considered for historic designation. The Project Area is all infill and therefore provides infill sites for compatible new or move-on historic structures. However, encouraging and retaining infill does not mean requiring that developers use such infill opportunities, and there is no City or Agency policy that requires absolute preservation of every historical resource within the City (including the Project Area). The Project does not discourage the development of “walking tours” information brochures, but development of these brochures is not within the scope of the Project. Therefore, the Project, to the extent feasible and applicable, aids in the restoration, rehabilitation, and/or relocation of historically and architecturally significant structures (Historic Preservation Policy 1).

Mitigation Measures CR-1 and CR-2 satisfy Implementation Action His 2-1 because they allow for the consideration of historic districts during the intensive surveys for a large portion of the Project Area that includes the Central Area Community Plan area (Mitigation Measure CR-1) and the surveys for Development Projects through the use of the Primary and District Record forms (DPR 523 A and D) outlined in the survey protocol (Mitigation Measure CR-2). The Agency and City do, and will continue to, integrate historic preservation into new development and redevelopment projects (Implementation Action His 2-2), where feasible. However, integrating does not mean requiring. The Agency and City do, and will continue to, provide incentives for restoration or rehabilitation of historic structures to be incorporated into new development projects (Implementation Action His 2-3). However, providing incentives does not mean requiring developers, agencies, and others to utilize such incentives. The Agency and City do, and will continue to, encourage the use of the Historic Façade Easements program (Implementation Action His 2-4). The HPC has already been established and is outside the scope of the Project (Implementation Action His 2-5). The Project allows for coordination with the HPC to evaluate and advise on the identification and implementation of priorities concerning historic preservation issues (Implementation Action His 2-6). The Project does not discourage participation of federal- and/or state-sponsored grants and demonstration projects (Implementation Action His 2-7). Therefore, to the extent that the Implementation Actions are applicable as set forth above, the Project is in compliance with Implementation Actions His 2-1 through 2-7, and therefore Historic Preservation Policy 9.2 as well.

The Project satisfies Implementation Action His 3-1 because the Project continues to allow the City to be the “purchaser of last resort” (Implementation Action His 3-1). Furthermore, the scope of the Project does not include the establishment of criteria to prioritize the acquisition and inventory of historic structures and buildings for relocation (Implementation Action His 3-1). This issue would be part of environmental analysis for future development as part of its discretionary approval. The evaluation and application of provisions of the State’s Historic Building Code ordinances to minimize disincentives that limit preservation and rehabilitation of historic buildings (Implementation Action His 3-1) would also have to be considered for future development during future tiered environmental analysis. For a complete discussion of tiered analysis as it applies to the Project, please refer to Response to Comment A.c-2. Therefore, to the extent that History Preservation Policy 3 applies to the Project, the Project is in compliance.

The following are the Fulton/Lowell Specific Plan’s Historic Preservation Policies and Implementation Actions:

Policy 9.1: Develop a master plan for historic preservation.

Implementation Action 9-1-1: Maintain current list of structures, resources and districts to be considered for historic designation.

Implementation Action 9-1-2: Promote additional surveys, as needed, to maintain a current profile of a historic resources inventory.

Implementation Action 9-1-3: Develop priorities for historic preservation issues in coordination with the Historic Preservation Commission to ensure appropriate identification and implementation.

Policy 9.2: Preserve and maintain historically and architecturally significant structures, resources, and districts.

Implementation Action 9-2-1: Establish development guidelines that will encourage retention and restoration of existing historic structures and ensure their architectural integrity.

Implementation Action 9-2-2: Provide in-fill sites for compatible new or move-on historic structures.

Implementation Action 9-2-3: Provide public programs and incentives for historic restoration or rehabilitation, especially high profile structures such as the Water Tower.

Implementation Action 9-2-4: Encourage the incorporation, as well as the integration, of historic structures with new developments.

Implementation Action 9-2-5: Promote the use of federal and/or state preservation programs such as the “Historic Façade Easements” program.

Policy 9-3: Form historic districts to preserve and enhance contributing historic features.

Implementation Action 9-3-1: Form historic districts including those identified in the “Supplementary Historic Building Survey” by John Edward Powell for the City of Fresno.

Implementation Action 9-3-2: Identify and inventory all contributing historic resources for preservation and incorporation into new developments.

Mitigation Measures CR-1 and CR-2 satisfy Implementation Actions 9-1-1 through 9-1-3 because the measures would serve to develop a list of structures, resources, and districts to be considered for historic designation; promote additional surveys, as needed, to maintain a current profile of a historic resources inventory; and include coordination with the HPC. Therefore, the Project assists the City in developing a master plan for historic preservation (Policy 9.1).

As set forth above in the discussion of Project compliance with Central Area Community Plan Implementation Action His 1-1, the mitigation measures

establish guidelines for consideration of historic resources to OHP standards with respect to infill, public program, and incentives for historic restoration. Additionally, the Lead Agency will continue to promote the use of federal and/or state preservation programs such as the Historic Façade Easements program. However, promoting does not mean requiring. Therefore, the Project and/or existing Agency and City policy satisfy Implementation Actions 9-2-1 through 9-2-5, and therefore Policy 9.2 as well.

The Project's mitigation measures allow for the consideration of historic districts during the intensive surveys for a large portion of the Project Area that includes the Fulton/Lowell Specific Plan area (Mitigation Measure CR-1) and surveys for individual projects through the use of the Primary and District Record forms (DPR 523 A and D) described in the survey protocol (Mitigation Measure CR-2). Therefore, the Project satisfies Implementation Actions 9-3-1 and 9-3-2, and therefore Policy 9.3 as well.

Response to Comment A.d-6

This comment suggests that the Draft SEIR does not adequately address local Historic Preservation Ordinances or consider how the Project will comply with those ordinances in the future. Contrary to the comment, the SEIR does address the Historic Preservation Ordinance. Further, the Project makes no changes to the responsibilities and activities of the HPC, nor does it invalidate the Historic Preservation Ordinance. Rather, the Project's mitigation measures provide a survey protocol for consideration of historic resources, complementing the Historic Preservation Ordinance. Future development would need to be in compliance with the mitigation measure, the Historic Preservation Ordinance and all other applicable local and state laws. The performance standards set forth for the surveys required to be completed in the mitigation measures have been tailored to match the HPC's responsibilities. The proposed mitigation will not cut short future environmental analysis. Rather, it will assist the Lead Agency in ensuring that historical resources are identified and treated appropriately under existing state and local law.

Please refer to Responses to Comments A.c-2 and A.c-3 for further discussion regarding the historical-resources analysis.

Additionally, the commenter seems to suggest that an unintended result of the Project is that future development involving designated resources could not be denied. However, the Project ensures just the opposite result. Approval of future development will be subject to a further discretionary review process, including, as necessary, preparation of project-specific EIRs. Furthermore, compliance with CEQA does not automatically require approval of a project. The decision-making body has full authority, as provided under the laws governing the particular entitlement of permit approval, to deny a project even if it has been fully analyzed in compliance with the requirements of CEQA. Please refer to Response to Comment A.c-2 for further discussion regarding tiering.

Response to Comment A.d-7

The commenter indicates that the proposed Mitigation Measure CR-2 does not comply with CEQA because it identifies historic resources but does not provide procedures to lessen or avoid any significant impacts. Please refer to the discussion of deferral of mitigation measures in Response to Comment A.c-2, which addresses this issue.

Additionally, the commenter's claim that Mitigation Measure CR-2 is not a mitigation measure is not accurate. As set forth in Response to Comment A.c-2, a Lead Agency may adopt a mitigation measure that defines parameters for future project-specific mitigation, even though the actual mitigation may be deferred until sometime in the future.

Finally, the commenter appears to conflate the process for any IS for future development within the Project with the survey and mitigation requirements required by Mitigation Measure CR-2. The intent of an IS for future development is to determine whether there may be a significant impact based on the detail of that development. The purpose of Mitigation Measures CR-1 and CR-2 is to address the known impacts on historical resources within the context of a program EIR. As set forth in Response to Comment A.c-2, site-specific analysis will be necessary to determine whether future proposals actually have a significant effect, whether an EIR must be prepared, and what would be feasible mitigation measures to reduce an impact.

Response to Comment A.d-8

Please also refer to Responses to Comments A.a-1 and A.b-1, which address the co-lead agency issue.

Response to Comment A.d-9

Please see Responses to Comments A.a-1 and A.b-1 about co-lead agencies, and Response to Comment A.d-4 about the Project's consistency with the General Plan. Contrary to the comment, the Agency is not trying to "set out in an opposite direction [from the General Plan] that asserts all subsequent projects under the [Draft SEIR] will result in significant and unavoidable historic resources impacts." The Project's mitigation complements existing state and local law, policies, and guidance (including the General Plan) and does not supersede them; please refer to Responses to Comments A.d-4 through A.d-7. The determination of significant and unavoidable historic impacts as a result of the Project is based on the analyses contained in the 1998 EIR and Draft SEIR; please see Responses to Comments A.c-2 and A.c-3. Further, the commenter suggests that the City should be a responsible agency so that it can challenge the Draft SEIR's "inconsistencies...with the existing Community and Specific Plans." The Draft SEIR is consistent with the existing plans (see Responses to Comments G-4 and G-5). Additionally, with the City as a lead agency, it can use its independent

judgment to determine whether the Final SEIR should be certified, make all necessary findings regarding the project, and adopt a statement of overriding considerations, if necessary.

The commenter also states that the analysis of the no-project alternative incorrectly concludes that it would result in greater impacts than the Project, as mitigated. This is not accurate. The 1998 EIR would remain in place under the no project alternative, as would the General Plan's Master EIR 10130. The Draft SEIR mitigation measures augment cultural resources mitigation found in the 1998 EIR, providing greater protection of cultural resources. Project-specific analyses of cultural resources, as required under this SEIR, will provide a more effective approach than a full survey that would occur absent site-specific development proposals, as provided under the 1998 EIR. The full survey would result in general requirements for mitigation because there are no projects to analyze, whereas the project-specific analyses will provide site-specific mitigation that is tailored to the characteristics of the future projects. In addition, this SEIR will still require a full background survey to be prepared.

Regarding the General Plan, it is not affected by the Project and would remain in place whether or not the Project is approved. Its provisions act to protect historic resources and are a constant between the Project and the no-project alternative. Consideration of future actions under the Project will be subject to the tiering requirements set out in CEQA and the State CEQA Guidelines, just as it would be under the no-project alternative. Stated another way, the no-project alternative does not result in any greater protection under the General Plan than would exist should the Project be approved.

Response to Comment A.d-10

It is true that the City is the lead agency for the City's General Plan Master EIR and co-lead agency for this SEIR. As discussed in Response to Comment A.d-4, the Project is consistent with the General Plan, complements its findings, and does not supersede it. Please see Responses to Comments A.a-1 and A.b-1 about co-lead agencies. Finally, the mitigation measures for which the City is the responsible lead agency (as set forth in the MMRP) are consistent with its obligations as lead agency for the General Plan. The MMRP is appended to this Final SEIR (Appendix A).

Response to Comment A.d-11

Please refer to Responses to Comments A.c-2 and A.c-3 for a discussion of how the SEIR is based on sufficient data that permits meaningful and accurate analysis of the potential significant historic-resource impacts. Please see Response to Comment A.c-2 regarding tiering. Please refer to Response to Comment A.d-7 regarding the appropriate use of an IS to determine whether a Negative Declaration (ND), MND, or NOP for an EIR is needed for a later

Development Project. As discussed in Response to Comment A.d-6, the Project does not invalidate the Historic Preservation Ordinance.

In addition, the comments regarding the proposed “IS implementation procedure” are appreciated. However, the Draft SEIR provides sufficient analysis of various mitigation measures to meet the requirements of CEQA. In formulating mitigation measures, a lead agency is subject to “the rule of reason” (*Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District*, [2d Dist. 1994] 24 Cal. App. 4th 826, 841). CEQA does not require analysis of every imaginable alternative or mitigation measure; its concern is with feasible means of reducing environmental effects (*Ibid*). The proposed protocol is so similar to Mitigation Measures CR-1 and CR-2 in the Draft SEIR that it does not need to be added in the Final SEIR. Ultimately, the effect of the proposed protocol is the same as the proposed mitigation measures. The “IS implementation procedure” is similar to the Draft SEIR’s mitigation measures for the following reasons:

- The mitigation measures in the Draft SEIR also require review by an objective and qualified preservation professional to evaluate structures that meet the specific criteria provided in State CEQA Guidelines Section 15064.5(a)(3)(A–D).
- Draft SEIR mitigation requires DPR forms for review under the Draft SEIR mitigation measures.
- Draft SEIR mitigation allows for the HPC to review and identify resources that meet the significance criteria and will be considered historic resources for purposes of CEQA. The Historic Preservation Ordinance also provides for the HPC to review and identify resources. It is important to note that the HPC’s authority is limited to buildings within historic districts (Historic Preservation Ordinance Section 12-1610) and to “historic resources” as defined by the Historic Preservation Ordinance, which is:

[A]ny building, structure, object or site that has been in existence more than fifty years and possesses integrity of location, design, setting, materials, workmanship, feeling and association, and: is associated with events that have made a significant contribution to the broad patterns of our history, or is associated with the lives of persons significant in our past, or embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master or possesses high artistic values; or has yielded, or may be likely to yield, important information in prehistory or history; and has been designated as such by the Council pursuant to the provisions of this article. (Emphasis added) (Section 12-1603.)

This definition is more narrowly defined than CEQA’s definition of historic resources. The HPC does not have the authority to widen its role to consider historic resources beyond how the term is defined in the Historic Preservation Ordinance.

Additionally, the mitigation measures do not preclude that all Development Projects involving any local historic resource must be considered and commented on by the HPC, and that the HPC's informed comments are to be considered by the City Council for approval of Development Projects.

- Draft SEIR mitigation, in compliance with CEQA, requires that the IS for Development Projects will determine whether activities proposed for the whole of the project may result in direct or indirect significant adverse change to identified historic resources.
- Based on the IS, and as required by CEQA, an environmental document will need to be prepared, whether that document is a ND, MND, or EIR.
- Per the Draft SEIR mitigation, all necessary Development Project information and subsequent draft and final environmental documentation will be submitted to the HPC for review.
- The City and Agency are currently mandated under existing regulations to treat certain resources as historic resources for the purposes of CEQA.
- Mitigation in the Draft SEIR considers the whole of each Development Project, including designated historic resources, and considers direct and indirect impacts of each Development Project.
- The Draft SEIR's mitigation allows for review in accordance with the City's Historic Preservation Ordinance.
- The Project is consistent with local ordinances.
- Regardless of a historic resource survey's age, the Draft SEIR's mitigation allows for due consideration of all potential historic resources and determination of a resource's eligibility on the National Register, State Register, and/or Local Register.
- Additionally, the proposed protocol appears to be in conflict with the Historic Preservation Ordinance because it provides the HPC with the ultimate authority to approve or deny a permit where a historic resource, as defined by the ordinance, may be affected. According to the proposed protocol, "[i]f, after review of the final environmental document, all evidence and testimony, the HPC can adopt any of the HP Ordinance's required findings, the HPC may approve the project" (emphasis added). This proposed protocol is in direct conflict with the Historic Preservation Ordinance because the ordinance explicitly vests the City Council with the "sole authority" to approve projects that affect historic resources, as defined by the Historic Preservation Ordinance, through the appeal process (Historic Preservation Ordinance Section 12-1620). The Historic Preservation Ordinance also explicitly states that the sole authority "to declare Historic Resources or Historic Districts and to endorse Local Historic Districts to the National Register of Historic Places shall be vested in the Council and shall be exercised only after completion of the Commission's responsibilities under the designation process set forth" (Historic Preservation Ordinance Section 12-1620). This protocol would vest sole authority to approve future

development that would affect historic resources, as defined by the Historic Preservation Ordinance, with the HPC, which conflicts with the approved Historic Preservation Ordinance.

Response to Comment A.d-12

As requested, the commenter's letter dated March 14, 2010 is included in the Administrative Record, and her comments are responded to in this Final SEIR.

Response to Comment A.d-13

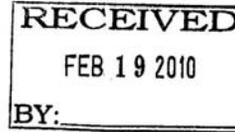
The commenter's assertion that she is "a taxpayer holding a demonstrated interest in the preservation of historic resources" neither enhances nor detracts from the commenter's ability to comment on this SEIR. While the Lead Agency is not conceding that the commenter is an "expert" on historic preservation, that statement would be more relevant if the Lead Agency were attempting to adopt an MND for this Project and the commenter was raising a fair argument for an EIR. Because the Lead Agency has prepared a SEIR for this Project, CEQA allows disagreement among experts as long as the Agency has substantial evidence (i.e., facts or expert opinion based on facts) to support its conclusions. The conclusions in the Draft SEIR were prepared by qualified CEQA and historic-resource experts, and the SEIR and 1998 EIR contain substantial evidence to support its conclusions.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE
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PHONE (559) 488-4347
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*Flex your power!
Be energy efficient!*

February 18, 2010

Comment B

2131-IGR/CEQA
6-FRE-GENERAL
FRESNO MERGER NO. 1
REDEVELOPMENT PLAN
DRAFT SUBSEQUENT EIR
SCH #2008081011

Mr. David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Dear Mr. Martin:

Caltrans has reviewed the Draft Subsequent Environmental Impact Report (SEIR) for Redevelopment Plan Merger No. 1. We have the following comments:

We have no specific comments on the SEIR. Caltrans looks forward to working with the Agency and with the City of Fresno as projects are proposed within this redevelopment area.

B-1

If you have any questions, please contact me at (559) 488-4347.

Sincerely,


JOANNE STRIEBICH
Office of Transportation Planning
District 6

C: State Clearinghouse
Mr. Tony Boren, Council of Fresno County Governments

"Caltrans improves mobility across California"

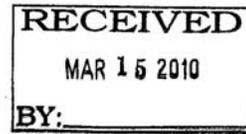
B. California Department of Transportation, Office of Transportation Planning, District 6, Joanne Striebich (Letter Dated February 18, 2010)

Response to Comment B-1

The commenter is thanked for her review of the Draft SEIR. The comment has been noted for the record.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



File 310. "RR", "II₁", "FF"
550.30 "RR", "II₁", "FF"

March 9, 2010

Comment C

Mr. David Martin
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Dear Mr. Martin,

**FMFCD Comments to the Draft Subsequent Environmental Impact Report
Fresno Merger No. 1 Redevelopment Plan Amendments Project
Drainage Areas "RR", "II₁" and "FF"**

The Fresno Metropolitan Flood Control District ("District") has reviewed the subject Draft Subsequent Environmental Impact Report and finds that the District's comments, in the letter dated August 4, 2009, have been incorporated in the report and are still applicable.

The District requests that the following additional comments be added to the subject "Draft Subsequent Environmental Impact Report" under the Hydrology and Water Quality Section as follows:

Any development of the proposed project that would increase the amount of impervious surfaces and consequently increase the volume of storm water entering the FMFCD drainage system may require a study to determine the impacts and any mitigation requirements.

C-1

The District will need to review and approve the final improvement plans for all development (i.e. grading, street improvement and storm drain) within the proposed project to insure consistency with the approved Storm Drainage Master Plan.

Thank you for the opportunity to comment. Please keep our office informed on the development of this EIR. If you should have any questions or comments, please contact the District at (559) 456-3292.

Very truly yours,

Mitzi Molina
Engineer II

MMM/lrl

K:\Environmental impact report letters\eir-Fresno Merger (rr-ii1-ff)(mmm).doc

5469 E. OLIVE • FRESNO, CA 93727 • (559) 456-3292 • FAX (559) 456-3194

C. Fresno Metropolitan Flood Control District, Mitzi Molina, Engineer II (Letter Dated March 9, 2010)

Response to Comment C-1

The commenter requests a text addition to Section 3C, “Hydrology and Water Quality,” of the Draft SEIR. The Draft SEIR has been revised to incorporate the requested addition. This addition does not change the significance determination in the Draft SEIR. Please see the “Page 3C-12” section of Chapter 3, “Errata to the Draft SEIR,” in this Final SEIR (page 3-3) for more information.

Comment D

3/10/2010

TO: Redevelopment Agency of the City of Fresno (Co-lead Agency)

RE: Merger SEIR -- Proposed Protocol for Potential Historical Resources

(Note: This memo does not address archeological resources.)

A. Key Questions:

1. Identification: Is there an historical resource?
2. Would the project cause a substantial adverse change in the significance of the resource?
3. Can the impact be avoided or mitigated? i.e. Secretary of Interior Standards or otherwise.

B. Methodology for responding to "A" above:

1. Identification:

a) Federal protocol level area-wide surveys or case-by-case evaluations (per current negotiations and agreement between RDA and City staff);

b) CEQA criteria for defining an historical resource applied to results from "a" above;

c) CEQA provision under "b" above i.e. " The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of historical resources, not included in a local register of historical resources, or identified in an historical resources survey does not preclude a lead agency from determining that the resource may be an historical resource. . . ." to be interpreted to mean a DETERMINATION BY THE CITY OF FRESNO HISTORIC PRESERVATION COMMISSION THAT A POTENTIAL HISTORICAL RESOURCE IS ELIGIBLE FOR LISTING ON THE LOCAL REGISTER AND/OR IS A CONTRIBUTOR TO A LOCAL HISTORIC DISTRICT (AS DEFINED IN THE CITY'S HISTORIC PRESERVATION ORDINANCE), OR HAS BEEN IDENTIFIED AS SIGNIFICANT IN AN HISTORICAL RESOURCES SURVEY THAT HAS BEEN ADOPTED OR CERTIFIED BY THE COMMISSION.

2. Determination of "substantial adverse change":

a) Apply CEQA criteria AS DETERMINED BY THE HISTORIC PRESERVATION COMMISSION;

b) Apply National Register criteria in determining "loss of integrity" AS DETERMINED BY THE HISTORIC PRESERVATION COMMISSION.

D-1

Merger SEIR -- Proposed Protocol for Potential Historical Resources
Page 2

3. Tiered Environmental Review:

a) Determination (based on all of the above) of NO HISTORICAL RESOURCE or NO SUBSTANTIAL ADVERSE CHANGE TO THE SIGNIFICANCE OF AN HISTORICAL RESOURCE is consistent with a Negative Declaration;

b) A project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, which shall be considered as mitigated to a level of less than a significant impact on the historical resource, is consistent with a Mitigated Negative Declaration. REVIEW AND DETERMINATION OF THE CONSISTENCY OF PROPOSED MITIGATION MEASURES WITH THE FOREGOING SHALL BE BY THE CITY HISTORIC PRESERVATION OFFICER, WITH A RIGHT OF APPEAL TO THE HISTORIC PRESERVATION COMMISSION.

c) A project that does not fulfill either "a" or "b" above requires a focused EIR relating to potential historical resources, pursuant to the subject SEIR and to CEQA itself.

D-1
cont'd

Explanatory Note: Utilization in this protocol of determinations by the City of Fresno Historic Preservation Commission as a threshold in several situations is consistent with the application of the "fair argument" standard for determinations that occur within the initial determination phase of the CEQA process (of which this proposed protocol would be a part for projects or discretionary entitlements within the Merger boundaries).

D. Issac Weil (Memorandum Dated March 10, 2010)

Response to Comment D-1

The commenter sets forth a proposed methodology for identifying and mitigating impacts on historical resources. The commenter does not state his purpose in providing the methodology. The following response is predicated on the assumption that the commenter's goal in providing the suggested protocol is for the Lead Agency to include it as a mitigation measure for the Project.

As noted in Response to Comment A.d-11, a lead agency is subject to "the rule of reason" when formulating mitigation measures (*Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District*, [2d Dist. 1994] 24 Cal. App. 4th 826, 841). CEQA does not require analysis of every imaginable alternative or mitigation measure; its concern is with feasible means of reducing environmental effects (*Ibid*). The lead agency has reviewed the proposed protocol and finds it infeasible because it does not comply with state and local law, for the reasons stated below. As a result, it is not incorporated into the Final SEIR.

First, the commenter calls for the HPC to provide a determination regarding whether a resource is eligible for listing on the local register and/or is a contributor to a local historic district. However, CEQA vests this authority in the City, which must determine whether a potential resource is not listed on the National Register, State Register, or Local Register; whether it is eligible for listing; or whether it is a resource that the City wishes to consider significant anyway (*Valley Advocates v. City of Fresno*, [2008] 160 Cal. App. 4th 1039). See State CEQA Guidelines Section 15064.5 for the three potential findings.

Second, the commenter calls for application of CEQA criteria "as determined by the Historic Preservation Commission." Again, the Lead Agency cannot simply delegate to the Historic Preservation Officer or the HPC the ultimate responsibility for determining the level of environmental review required under CEQA. Pursuant to PRC 21151, the determination of whether an ND, MND, or EIR is to be prepared is subject to appeal to the elected decision-making body. If the Lead Agency relied solely on a determination of the HPC regarding whether a resource is eligible for listing as a historical resource, the Lead Agency would effectively abdicate its responsibility for making the determination of the type of environmental review that is required because the determination of whether a resource is eligible can drive the environmental review required. The Lead Agency would no longer be exerting its "independent judgment" over the CEQA documents that it releases (PRC 21082.1).

Third, the commenter calls for a "tiered environmental review" that misconstrues the tiered environmental review allowed by CEQA. Contrary to the comment, where there is no historical resource and no substantial change to the significance of a historical resource, State CEQA Guidelines Section 15162 provides that no

additional CEQA document is necessary. Where minor technical changes are to be made, an addendum may be prepared under Section 15164. With regard to those projects that comply with the Secretary of the Interior's Standards, State CEQA Guidelines Section 15064.5(b)(3) establishes a rebuttable presumption that the project will have a less-than-significant impact on the historical resource. This is not consistent with an MND, which requires the adoption of mitigation measures. No mitigation measures are necessary to comply with Section 15064.5. In fact, as provided in State CEQA Guidelines Section 15331, projects that comply with the Secretary of the Interior's Standards may qualify for a Categorical Exemption. The level of environmental review will be addressed at the second tier of review under CEQA on a site-specific basis.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 17, 2010

Comment E

David Martin
Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Room 200
Fresno, CA 93721

Re: Notice of Completion-Supplement/Subsequent EIR
Fresno Merger No. 1 Redevelopment Plan Amendments Project
SCH # 2008081011

Dear Mr. Martin:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

E-1

After reviewing the response to the NOP comment letter by the RDA staff and project consultants, we offer the following comments to be entered into the administrative record for this project;

We concur with the response that future development would have to consider at-grade railroad crossings as part of individual CEQA review, including for the proposed high-speed train project in California.

We are in disagreement with the response; "there have been accidents in the Project Area between trains and vehicles, bicycles and pedestrians since certification of the 1998 EIR, the potential for these accidents existed as well in 1998. Vehicle loads and interactions with trains have likely increased since 1998, but that is a function of time, not the project". The Commission does not take lightly all the accidents that have occurred at the at-grade rail crossings in this area since 1998. Many of these rail crossings do not even have one sidewalk at a minimum for pedestrians to safely cross the tracks. Unfortunately the 1998 EIR did not address this significant impact to at-grade railroad crossings and therefore remains a significant impact until such measures are in place to address this concern by the RDA.

E-2

David Martin

Redevelopment Agency
Fresno Merger No.1
SCH # 200808101
March 17, 2010
Page 2 of 2

We further disagree with the statement; “Therefore, the project would not result in new or more severe impacts related to at-grade railroad crossings”. Without an adequate traffic analysis and the Accident history as substantial evidence, this statement is without merit. There has been substantial development (the baseball stadium, old Armenian town, kern Street area) in this project area since 1998 and the cumulative impacts have not been adequately addressed as they relate to at-grade railroad crossings. Should any of these projects or the 1998 EIR have adequately addressed the at-grade railroad crossings, please provide that information for our review and comment along with any mitigation measures that have been implemented to date by project proponents.

E-3

We concur with “Future site-specific development projects would have to prepare individual traffic impact studies that address traffic safety issues at all affected at-grade railroad crossings (including queuing issues) during the discretionary approval phase. The Public Utilities Commission would be given the opportunity to comment on its concerns at that time. Each traffic impact study would consider grade separations, warning devices and signals, signage, medians, visibility, possible parking prohibitions, pedestrian-specific warning devices, eliminating driveways, increased traffic enforcement, and rail safety awareness programs when pertinent.”

E-4

We had recommended that the RDA conduct a comprehensive traffic analysis during the DEIR for this project and treat it as one traffic study in order to expedite the review process for all future projects in the project limits. This will result in all subsequent proposed projects (nine redevelopment plans) to conduct individual traffic impact studies that will include all at-grade rail crossings during the entitlement process which is a costly and lengthy process.

E-5

We look forward to working with the RDA and City of Fresno to address these significant concerns to the at-grade railroad crossings and make them safe for all concerned.

Thank you for your consideration of these comments. If you have any questions in this matter, please contact me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and Crossings Branch
515 L Street, Suite 1119
Sacramento, CA 95814

E. California Public Utilities Commission, Moses Stites, Rail Corridor Safety Specialist (Letter Dated March 17, 2010)

Response to Comment E-1

The commenter is thanked for his comment. It has been noted for the record.

Response to Comment E-2

The Lead Agency concurs with the California Public Utilities Commission (CPUC) that accidents that have occurred at the at-grade rail crossings in the Project Area since 1998 (and before) should be analyzed at the appropriate tier of CEQA review. The 1998 EIR concluded that even with adequate mitigation for the long term, cumulative impacts on the “local circulation network” would be significant and unavoidable. The local circulation network includes (but is not limited to) roads, sidewalks, and railroad alignments, including at-grade crossings. The Lead Agency is committed to making improvements in the Project Area and the greater metropolitan Fresno area to improve transportation safety for all modes, including railways and at-grade rail crossings. As discussed in the 1998 EIR, measures are in place established by Agency and City procedures for the short term (i.e., during construction) and the long term (i.e., during operations). Long-term mitigation developed in the 1998 EIR includes construction of proposed public improvements as listed in the various Constituent Redevelopment Plans and other applicable plans, which include “railroad grade improvements.” This Draft SEIR is a subsequent document to the 1998 EIR, and the conclusions in the 1998 EIR remain applicable to the Project.

Response to Comment E-3

The CPUC’s disagreement with the following statement is noted: “Therefore, the project would not result in new or more severe impacts related to at-grade railroad crossings.” However, the Project would not result in project-level development; rather, it would programmatically facilitate possible future development beyond the current time limits. The Lead Agency has not made a substantial commitment to a particular course of action for a specific project, and future activities are not committed to sufficiently to warrant an in-depth analysis at this time. As site-specific proposals are brought to the Lead Agency, the Lead Agency will require a sufficient traffic analysis that includes consideration of improvements to at-grade railroad crossings in accordance with Agency and City procedures and with mitigation described in the 1998 EIR (see Response to Comment E-2). Additionally, the CPUC will be allowed to review and comment on the sufficiency of each analysis in the future for site-specific proposals as a responsible agency under CEQA. (Also see Response to Comment A.c-2 for a discussion of tiering.)

Response to Comment E-4

The commenter is thanked for his comment. It has been noted for the record. Please refer to Response to Comment E-3 regarding future review and comment on the sufficiency of the traffic analysis for site-specific proposals.

Response to Comment E-5

The commenter is thanked for his comment. It has been noted for the record. Please refer to Response to Comment E-3 for more information.



2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8003 FAX (559) 498-1012

Planning and Development Department
John M. Dugan AICP, Director

Please reply to:
(559) 621-8520

March 24, 2010

David Martin
Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street Suite 200
Fresno, CA 93721

Comment F

Dear Mr. Martin:

The Historic Preservation Commission reviewed the Draft Subsequent Environmental Impact Report for the Fresno Merger No. 1 Redevelopment Plan at its public hearings on February 22, 2010 and March 22, 2010. The Commission also received testimony from the public.

On a 5-0 vote (with two absentees) the Commission on March 22nd made the following comments and asked that these questions and comments be addressed within the Final Environmental Impact Report:

- Requests that the *Secretary of Interior's Standards for the Treatment of Historic Properties* be adopted as a project mitigation/performance measure for designated historic properties in order to achieve a finding of no significant impact; F-1
- Requests that the EIR include tiered environmental reviews for projects that may impact a historic resource; F-2
- Requests the RDA explain how the proposed DSEIR is consistent and in compliance with the Historic Resource Goals, Objectives and Policies that have been adopted in the *2025 Fresno General Plan* and the City's *MEIR*. The Commission is troubled by the overall tone of the DSEIR which appears to disregard the importance of preservation and historic resources; F-3
- Requests the RDA and City describe how the CEQA duties and responsibilities will be carried out using the proposed co-lead agency approach in a manner consistent with CEQA. F-4
- Requests that the Cultural Resources Section of the DSEIR be re-circulated after this chapter of the DSEIR is revised. F-5

Thank you for the opportunity to comment on this important document and for the additional time that was granted for a second hearing.

Sincerely,

Karana Hattersley-Drayton, M.A.
Historic Preservation Project Manager/Secretary
(for) City of Fresno Historic Preservation Commission

xc Historic Preservation Commissioners

F. City of Fresno Historic Preservation Commission, Karana Hattersley-Drayton, Historic Preservation Project Manager/Secretary (Letter Dated March 24, 2010)

Response to Comment F-1

The commenter requests that the Secretary of the Interior's Standards be adopted as a project mitigation/performance measure for designated historic properties to achieve a finding of no significant impact. The Draft SEIR accounts for the Secretary of the Interior's Standards by reference to the State CEQA Guidelines, which lists the Secretary of the Interior's Standards as a means of mitigating impacts (see State CEQA Guidelines Section 15064.5[b][3]). It is not necessary to identify it separately in the SEIR. Mitigation Measures CR-1 and CR-2 require compliance with CEQA and therefore the Secretary of the Interior's Standards. Furthermore, any later future development that meets the Secretary of the Interior's Standards can be assumed to be less than significant, per the State CEQA Guidelines.

Response to Comment F-2

The SEIR will be the basis for tiered review of subsequent future development. Please also refer to Responses to Comments A.c-2.

Response to Comment F-3

The commenter requests that the Lead Agency explain how the Draft SEIR is consistent and in compliance with the Historic Resource Goals, Objectives, and Policies that have been adopted in the 2025 Fresno General Plan and the City's MEIR. Please see Responses to Comments A.d-4 and A.d-9, which address the Project's compliance with the City's Historic Resources Goals, Objectives and Policies that have been adopted in the 2025 Fresno General Plan.

Additionally, the City's General Plan MEIR Mitigation Measure J-2 further requires the following:

When maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impacts on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.

Following the Secretary of the Interior's Standards would "generally" result in a less-than-significant impact on buildings being actively maintained, repaired, stabilized, rehabilitated, restored, preserved, conserved, or reconstructed. As set forth above, Mitigation Measures CR-1 and CR-2 are consistent with the Secretary of the Interior's Standards. However, the Secretary of the Interior's Standards only deal with "when" buildings are being actively improved and how such improvements should be accomplished. The Draft SEIR's mitigation additionally provides a protocol for the identification of potentially significant historic resources that could be actively improved; in such cases, the Secretary of the Interior's Standards could be applied.

Furthermore, it should be noted that Mitigation Measure J-2 is a provision of the State CEQA Guidelines (see Section 15064.5[b][3]) that creates a rebuttable presumption that meeting the Secretary of the Interior's Standards avoids impacts. However, for future development, the Lead Agency may determine, based on the details of the Project, that the requirements of CEQA are met without meeting the Secretary of the Interior's Standards (e.g., by applying comparable mitigation that reduces the impact to a less-than-significant level). Finally, the Lead Agency acknowledges the HPC's concern that the Draft SEIR has "disregarded the importance" of historical resources. To the contrary, it is the Draft SEIR's concern for historical resources that is the basis for the conclusion that the Project may result in significant and unavoidable impacts. Please review Responses to Comments A.c-2, addressing the Lead Agency's analysis of the potential impacts and proposed mitigation in detail to ensure that historical resources are protected.

Response to Comment F-4

This comment requests that the Agency and City describe how the CEQA duties and responsibilities will be carried out using the proposed co-lead agency approach in a manner consistent with CEQA. Please see Responses to Comments A.a-1 and A.b-1 regarding this issue.

Response to Comment F-5

The Draft SEIR is in compliance with CEQA (PRC 21000 *et. seq.* and 14 CCR 15000 *et. seq.*), and recirculation is not warranted.

Comment G



STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

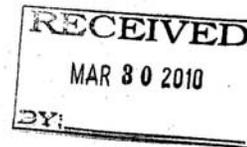


ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

March 24, 2010

David Martin
City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721



Subject: Fresno Merger No. 1 Redevelopment Plan Amendments Project
SCH#: 2008081011

Dear David Martin:

The State Clearinghouse submitted the above named Subsequent EIR to selected state agencies for review. The review period closed on March 18, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

G-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008081011
Project Title Fresno Merger No. 1 Redevelopment Plan Amendments Project
Lead Agency Fresno Redevelopment Agency, City of

Type SBE Subsequent EIR
Description NOTE: Reference SCH#1997122009

The project consists of proposed amendments to nine redevelop plans. The Plan encompasses separate redevelopment project areas (Constituent Project Areas) described below, each of which has its own redevelopment plan (Constituent Redevelopment Plans). The nine constituent Project Areas are: Mariposa, Central Business District, Convention Center, Jefferson, Chinatown Expanded, West Fresno I, West Fresno II, Fulton, and South Van Ness Industrial.

Lead Agency Contact

Name David Martin
Agency City of Fresno Redevelopment Agency
Phone (559) 621-7630 **Fax**
email
Address 2344 Tulare, Suite 200
City Fresno **State** CA **Zip** 93721

Project Location

County Fresno
City Fresno
Region
Lat / Long
Cross Streets Numerous
Parcel No. Multiple
Township **Range** **Section** **Base**

Proximity to:

Highways SR 99, SR 41, SR 180
Airports Chandler Executive
Railways BNSF, SPRR
Waterways No
Schools Multiple
Land Use There are multiple designations.

Project Issues Aesthetic/Visual; Agricultural Land; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 02/02/2010 **Start of Review** 02/02/2010 **End of Review** 03/18/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

**G. Governor's Office of Planning and Research,
Scott Morgan, Acting Director (Letter Dated
March 24, 2010)**

Response to Comment G-1

The commenter is thanked for his comment. It has been noted for the record.

Comment H

March 31, 2010

David Martin
City of Fresno
Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

Project: Fresno Merger No. 1 Redevelopment Plan Amendments
District CEQA Reference No: 20100067

Dear Mr. Martin:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (EIR) for the project referenced above. The project includes amendments to existing redevelopment plans for nine constituent project areas within the city of Fresno. The District respectfully requests that, although the commenting period has lapsed, the Redevelopment Agency include the following comments in its review and recommendations to be presented before the City's Planning Commission.

Comments

1. The District appreciates the City's dedication to reducing impacts on air quality through cooperation with the District in implementing District rules and regulation. Mitigation Measure AQ-1 lists several measures, many of which require compliance with District regulation, recommended for all future developments within the project area. Mitigation Measure AQ-2 requires implementation of Mitigation Measure AQ-1 to the extent they are applicable. As no specific development projects are identified in this programmatic EIR, the District recommends that a measure be included in the EIR requiring all future projects within the project site to demonstrate compliance with District Rule 9510 (Indirect Source Review), before issuance of the first building permit. More information about how to comply with District Rule 9510 can be found on the District's website at: <http://www.valleyair.org/ISR/ISRHome.htm>.

H-1

District CEQA Reference No. 20100067

Page 2

2. The EIR incorrectly states that industrial and commercial uses are not considered sensitive receptors (page 3A-18). Industrial and commercial uses are considered to be worker sites. In certain situations worker sites are considered sensitive receptors. For example, if a new industrial use is proposed near an existing worker site, the employees in that nearby worker site would be considered sensitive receptors. The District recommends the EIR be amended to include this clarification. H-2

3. Accurate quantification of health risks and operational emissions requires detailed site specific information, e.g. type of emission source, proximity of the source to sensitive receptors, and trip generation information. The required level of detail is typically not available until project specific approvals are being granted. The EIR states that each future development proposal within the project area would have to undergo a separate project-level CEQA analysis (page 3A-19). It further states that these projects would have to conform to the District's toxic air contaminant (TAC) regulation. The District appreciates the opportunity to work with the City in identifying potential health risks associated with new developments. To aid the City in determining a project's potential impacts, the District recommends that CEQA referral documents submitted to the District include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources. H-3

4. The applicability requirements of District Rule 9510 (Indirect Source Review) are described on page 3A-43. The document inaccurately states that transportation and transit projects are not subject to the rule. Per Section 2.2 of the rule, transportation and transit projects are subject to the rule if construction emissions equal or exceed 2.0 tons of NOx or PM10 exhaust emissions. Section 4.0 of the rule does not exempt transportation and transit projects from the rule, it only exempts these projects from off-site mitigation fees. The District recommends the EIR be amended to include this clarification. H-4

If you have any questions or require further information, please call Jessica Willis at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services

Arnaud Marjollet
Permit Services Manager

DW:jw

H. San Joaquin Valley Air Pollution Control District, David Warner, Director of Permit Services, and Arnaud Marjollet, Permit Services Manager (Letter Dated March 31, 2010)

Response to Comment H-1

The commenter requests that the following language be added to the SEIR: “a measure...in the EIR requiring future projects within the project site [Project Area] to demonstrate compliance with District Rule 9510 (Indirect Source Rule), before issuance of the first building permit.” The Draft SEIR has been revised to incorporate the requested inclusion. This inclusion does not change the significance determination in the Draft SEIR. Please see the “Page 3A-79” section of Chapter 3, “Errata to the Draft SEIR,” in this Final SEIR (pages 3-2 and 3-3) for more information.

Response to Comment H-2

The commenter requests a text amendment to clarify: 1) that industrial and commercial uses are considered worker sites, and 2) in certain situations, worker sites are considered sensitive receptors. The Draft SEIR has been revised to incorporate the requested amendment. This amendment does not change the significance determination in the Draft SEIR. Please see the “Page 3A-18” section of Chapter 3, “Errata to the Draft SEIR,” in this Final SEIR (page 3-1) for more information.

Response to Comment H-3

The commenter recommends that CEQA referral documents submitted to the San Joaquin Valley Air Pollution Control District “include a project summary, detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources.” The Draft SEIR text has been revised to accommodate this recommendation. This revision does not change the significance determination in the Draft SEIR. Please see the “Page 3A-19” section of Chapter 3, “Errata to the Draft SEIR,” in this Final SEIR (page 3-2) for more information.

Response to Comment H-4

The commenter requests a text amendment to the Draft SEIR to state that transportation and transit projects are subject to Rule 9510 if construction emissions equal or exceed 2.0 tons of oxides of nitrogen (NO_x) or particulate matter less than or equal to 10 microns in diameter (PM₁₀) exhaust emissions. The Draft SEIR text has been revised to accommodate this amendment. This

amendment does not change the significance determination in the Draft SEIR. Please see the “Page 3A-43” section of Chapter 3, “Errata to the Draft SEIR,” in this Final SEIR (page 3-2) for more information.

Chapter 3

Errata to the Draft SEIR

Introduction

As provided in Section 15088(c) of the State CEQA Guidelines, responses to comments may take the form of a revision to a Draft EIR (including a Draft SEIR) or may be a separate section in the Final EIR (including a Final SEIR). This chapter complies with the latter approach and provides changes to the Draft SEIR in revision-mode text (i.e., deletions are shown with ~~striketrough~~, and additions are shown with underline). These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the Project since the release of the Draft SEIR.

Changes to the Draft SEIR

The following changes to the text and figures are incorporated into the Final SEIR as presented below.

Page 3A-18

SJVAPCD identifies a sensitive receptor as a location where human populations, especially children, senior citizens, and sick persons, are present, and where there is a reasonable expectation of continuous human exposure to pollutants, according to the averaging period for ambient air quality standards, such as 24-hour, 8-hour, or 1-hour periods. Examples of sensitive receptors include residences, hospitals, and schools. Industrial and commercial uses are not generally considered sensitive receptors, but these uses are considered to be worker sites, and, in certain situations, worker sites are considered sensitive receptors. The Project Area covers 1,900 acres and is zoned for a variety of uses, including residential, commercial, administrative and professional, general manufacturing, and heavy industry. The Project does not result in Project-level development but rather programmatically facilities possible future development beyond the current time limits. Because individual Projects are not specified as part of the Project, a complete analysis of specific sensitive receptors is not provided here.

Page 3A-19

Future development could potentially bring sensitive receptors to the area, expose sensitive receptors already within the area, or expose sensitive receptors nearby but outside the Project area to TACs. Each future development proposal within the Project Area would have to undergo a separate Project-level CEQA analysis to obtain necessary discretionary approval and would have to conform to all current SJVAPCD, CARB and EPA requirements as pertains to sensitive receptors and TACs as part of the analysis. Mixed-use development could be a part of the future development within the Project Area and, if necessary, future development would have to conform to the SJVAPCD's TACs regulation, including the development of a Health Risk Assessment (HRA), if determined necessary for a future development. A complete description of the specific health effects of individual TACs can be found in *ARB Almanac, Chapter 5: Toxic Air Contaminant Emissions, Air Quality and Health Risk* (California Air Resources Board 2009a). CEQA documents that are submitted to SJVAPCD should include a project summary detailing, at a minimum, the land use designation for the project, project size, and proximity to sensitive receptors and existing emission sources. A brief overview of California regulations regarding TACs is provided below.

Page 3A-43

The purpose of Rule 9510 is to reduce emissions of NO_x and PM₁₀ from future development. The rule applies to development that seek to gain a discretionary approval, upon full buildout, will include any one of the following: 50 residential units; 2,000 square feet of commercial space; 25,000 square feet of light industrial space; 20,000 square feet of medical or recreational space; 39,000 square feet of general office space; 100,000 square feet of heavy industrial space; 9,000 square feet of educational space; 10,000 square feet of government space; or 9,000 square feet of any land use not identified above. Several sources are exempt from the rule, including ~~transportation projects, transit projects,~~ reconstruction projects that result from a natural disaster and development whose primary source of emissions are subject to SJVAPCD Rules 2201 and 2010, which address stationary sources. Transportation and transit projects are not exempt from the rule if construction emissions equal or exceed 2.0 tons of NO_x or PM₁₀ exhaust emissions. The emission reductions expected from the rule allow the SJVAPCD to achieve attainment of the federal air quality standards for ozone by 2023.

Page 3A-79

2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area source emissions, including rule 9510.

Compliance with Rule 9510 shall be demonstrated before issuance of the first building permit for a project.

Page 3C-12

4-3.9: Implement measures to reduce water consumption such as drought-tolerant landscape design and low water use plumbing fixture standards.

Fresno Metropolitan Flood Control District

Any future development as a result of the Project that would increase the amount of impervious surfaces and consequently increase the volume of storm water entering the Fresno Metropolitan Flood Control District drainage system may require a study to determine the impacts and any mitigation requirements.

Appendix A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3A	Air Quality				
#1 AQ-1	<p>Mitigation Measure MM AQ-1. Recommended Air Quality Mitigation for Future Development. The following general mitigation measures are recommended for all future development within the Project Area.</p> <ol style="list-style-type: none"> 1. Comply with all SJVAPCD Constructions rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the Project Area include: <ol style="list-style-type: none"> a. Structural Demolition <ol style="list-style-type: none"> i. Water the following areas for the duration of the demolition activities: <ol style="list-style-type: none"> 1. building exterior surfaces; 2. unpaved surface areas where equipment will operate; 3. razed building materials; and 4. unpaved surface areas within 100 feet of structure during demolition. b. Pre-Activity <ol style="list-style-type: none"> i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time; and ii. phase work to reduce the amounts of disturbed surface area at any one time. c. Active Operations <ol style="list-style-type: none"> i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking; ii. construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas; iii. apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas; iv. limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is also expressly forbidden.); and v. operate construction equipment no longer than 8 cumulative hours per day. d. Inactive Operations, Including after Work Hours, Weekends, and Holidays <ol style="list-style-type: none"> i. Effectively stabilize all disturbed areas, including storage piles that are not being actively utilized for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; 	<p>Prior to approving future developments' environmental documentation</p>	<p>City of Fresno Planning & Development Department</p>		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended air quality mitigation into future developments' environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<ul style="list-style-type: none"> ii. apply water or dust suppressants on disturbed surface areas to form a visible crust; iii. restrict vehicle access to maintain the visible crust; and iv. shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15 minute maximum). e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days <ul style="list-style-type: none"> i. Restrict vehicular access and apply and maintain water or dust suppressants at all unvegetated areas; ii. establish vegetation on all previously disturbed areas; iii. apply gravel and maintain at all previously disturbed areas; and iv. pave previously disturbed areas. f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas <ul style="list-style-type: none"> i. Effectively stabilize all onsite unpaved roads and offsite unpaved access roads of dust emissions using water or chemical stabilizer/suppressant; ii. post speed limit signs of not more than 15 miles per hour at each entrance, and again every 500 feet; iii. apply water or dust suppressants to vehicle traffic and equipment storage areas; and iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%. g. Wind Events <ul style="list-style-type: none"> i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled. h. Outdoor Handling of Bulk Materials <ul style="list-style-type: none"> i. Apply water or dust suppressants when handling bulk materials; and ii. install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants. i. Outdoor Storage of Bulk Materials <ul style="list-style-type: none"> i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant; ii. cover storage piles with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action; and iii. install and maintain wind barriers with less than 50% porosity around the storage piles, 				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>and apply water or dust suppressants; and</p> <p>iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles.</p> <p>j. Onsite Transporting of Bulk Materials</p> <p>i. Limit vehicle speed on the work site; and</p> <p>ii. load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public access road;</p> <p>iii. apply a sufficient amount of water to the top of the load to limit visible dust emissions; and</p> <p>iv. cover haul trucks with a tarp or other suitable cover.</p> <p>k. Offsite Transporting of Bulk Materials</p> <p>i. Clean or cover the interior of emptied truck cargo compartments before leaving the site;</p> <p>ii. prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, and tailgates;</p> <p>iii. cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public access road to or from the Project site and apply a sufficient amount of water to the top of the load to limit visible dust emissions; and</p> <p>iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%.</p> <p>l. Outdoor Transport using a Chute or Conveyor</p> <p>i. Fully enclose chute or conveyor;</p> <p>ii. use water spray equipment to sufficiently wet the materials; and</p> <p>iii. wash or screen transported materials to remove fines (PM10 or smaller).</p> <p>m. Valley Fever Mitigation</p> <p>i. All disturbed areas, including storage piles that are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.</p> <p>ii. Crews shall be required to use respirators during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.</p> <p>iii. Construction roads shall be paved or treated with environmentally safe dust-control agents.</p> <p>iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.</p>				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>v. During rough grading and construction, the access way into the Project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents.</p> <p>vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised on reducing exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, and frequently cleaning or replacing air intake filters for air conditioning systems.</p> <p>2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area source emissions, including rule 9510. Compliance with Rule 9510 shall be demonstrated before issuance of the first building permit for a project.</p> <p>3. Individual projects may exercise the option of entering into a VERA with the SJVAPCD to reduce emissions to less than significant.</p> <p>4. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable.</p> <p>5. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies as outlined in the General Plan and General Plan updates. Such measures would encourage alternative transportation. These measures will reduce automobile usage and emissions in the operation of the Project. Proposed policies of the Air Quality Update (City of Fresno 2009) that promote emissions reductions through planning include:</p> <ul style="list-style-type: none"> a. incorporate multi-use activity centers and high intensity transportation corridor concepts; b. implementation of the City's Urban Growth Management Program; c. promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes; d. implement mixed-use development guidelines that provide more pedestrian-oriented neighborhoods; e. require subdivision and other residential development designs which facilitate pedestrian access to bus stops and other transportation routes; f. maintain and improve transit related requirements for development including on-site bus parking; g. expand programs to reduce VMT, stop and go traffic and congestion through various strategies such as optimized signal timing, interconnected signals, computer based controls and traffic actuated signals; h. aid in completing the City's network of alternative bicycle and pedestrian transportation routes 				

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	i. provide for installation and maintenance of landscaping that promotes good air quality; j. support employer programs for staggered work week hours, telecommuting, worker incentives to use carpools and/or public transit; k. continue efforts to improve Fresno Area express bus technical performance, emission levels and system operations; l. evaluate and pursue long-range transportation measures such as express bus, light rail, mass transit corridors, HOV lanes and the acquisition, by the City, of land to be used for bus turning and parking areas; and m. installation of bike lanes, paths, and trails.				
#2 AQ-2	Mitigation Measure MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development. <ul style="list-style-type: none"> Implement Mitigation Measure AQ-1 to the extent they are applicable. Conform with 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable. Design Projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable. 	Prior to approving future developments' environmental documentation	City of Fresno Planning & Development Department		
		Steps to Compliance: A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended air quality mitigation and ensure conformance with applicable plans, the RTP, and Sustainable Communities Strategy into future developments' environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.			
#3 AQ-3	Mitigation Measure MM AQ-3. Use of Adopted GHG Protocols, Standards, and Thresholds of Significance. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving developments. All projects shall comply with the requirements of the SJVAPCD, as they may be amended in the future, for GHG reductions.	Prior to approving future developments' environmental documentation	City of Fresno Planning & Development Department		
		Steps to Compliance: A. City of Fresno Planning & Development Department will ensure that future developments' environmental documentation use the most current adopted GHG protocols, standards, and thresholds of significance adopted by the SJVAPCD and the state. B. Verification of most current adopted GHG protocols, standards, and thresholds of significance to be performed through individual future developments' MMRP, and monitored by City			

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					<p>of Fresno Planning & Development Department.</p> <p>C. City of Fresno Planning & Development Department will apply all requirements of the SJVAPCD for GHG reductions, and any additional requirements arising from CEQA mitigation, to site-specific projects.</p>
#4 AQ-3	<p>Mitigation Measure MM AQ-4. Recommended GHG Emissions Reductions Achieved through AB 32 Scoping Plan, Title 24 Standards, and Local Measures.</p> <p>GHG Emission Reductions from the AB 32 Scoping Plan</p> <p>CARB is the lead agency for implementing AB 32. CARB has met several milestones towards achieving the State’s goals: 1) develop a list of discrete early actions (California Air Resources Board 2007), 2) assemble an inventory of historic emissions (California Air Resources Board 2009c), 3) establish GHG emissions reporting requirements, and 4) set a 2020 emissions limit. In December of 2008, CARB released a Scoping Plan (California Air Resources Board 2008b) outlining the state’s strategy to achieve the 2020 target. Development within the Project Area shall be consistent with the State’s strategy and that does not impede the state’s ability to achieve the goals set forth in AB 32. Several measures identified by the Scoping Plan will reduce GHG emissions within the Project Area without additional action from the City or the SJVAPCD. These measures are broadly grouped by targeted sector and discussed below.</p> <p><u>Transportation</u></p> <ul style="list-style-type: none"> Adopted by the Legislature in 2002, AB 1493, known as the Pavley Standards, requires GHG emission reduction from passenger cars and light-duty trucks. In 2005, CARB submitted a request to the EPA under the CAA for a waiver to authorize implementation of regulations to implement AB 1493. Although EPA denied this waiver in 2007, in May of 2009 President Obama announced new national standards in line with those proposed by Pavley. CARB estimates that the Pavley Standards will result in a reduction of nearly 20% of GHGs associated with motor vehicle use statewide. The Scoping Plan also recommends additional strategies to reduce GHG emissions associated with passenger vehicles, including the Zero-Emission Vehicle Program and the Alternative and Renewable Fuel and Vehicle Technology Program. Executive Order S-01-07 requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. The Scoping Plan includes a target of 5 MMT CO2e reductions per year for regional transportation, but also notes that targets for this sector will also be set by the SB 375 process, which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. 	Prior to approving future developments’ environmental documentation	City of Fresno Planning & Development Department		
					<p>Steps to Compliance:</p> <p>A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended GHG emissions reduction mitigation into future development’s environmental documentation.</p> <p>B. Verification of mitigation compliance to be performed through individual future developments’ MMRPs, and will be monitored by City of Fresno Planning & Development Department.</p>

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	<ul style="list-style-type: none"> • Additional measures identified in the Scoping Plan that would reduce light-duty vehicle GHG emissions include implementation of a tire pressure program, imposition of tire tread standards, reduction of engine load via lower friction oil use, and requiring solar reflective automotive paint and window glazing. • Retrofits to improve the fuel efficiency of heavy-duty trucks could include a requirement for devices that reduce aerodynamic drag and rolling resistance. Hybridization of medium- and heavy-duty vehicles would increase fuel economy. <p><u>Electricity and Natural Gas</u></p> <ul style="list-style-type: none"> • Set new targets for statewide annual energy demand reductions of 32,000 gigawatt hours from business as usual. This strategy requires increased utility energy efficiency programs, more stringent building and appliance standards, and additional efficiency and conservation programs. • Set a target of an additional 4,000 MW of installed combined heat and power capacity by 2020. Development of efficient combined heat and power systems would help displace the need to develop new, or expand existing, power plants. • In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy approval process and increase the state's renewable energy standard to 33% by 2020, meaning that a third of California's energy will be produced from renewable resources rather than fossil fuels. • As part of Governor Schwarzenegger's Million Solar Roofs Program, signed into law in 2006, California has set a goal of installing 3,000 MWs of new solar capacity by 2017. This renewable energy measure would reduce the amount of electricity required from centralized power plants, thereby reducing GHG emissions. <p><u>Commercial and Residential</u></p> <ul style="list-style-type: none"> • In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy. • Set new targets for statewide commercial and residential energy consumption reductions of 800 million therms. This strategy requires utility efficiency programs, building and appliance standards, and additional efficiency and conservation programs. • In 2007, the Legislature passed the Solar Hot Water and Efficiency Act, which authorized a 10-year, \$250 million incentive program for solar water heaters with a goal of promoting installation of 200,000 heaters by 2017. <p><u>Water</u></p> <ul style="list-style-type: none"> • A number of measures intended to decrease water use are included in the Scoping Plan. These measures include increasing water efficiency, water recycling, water 				

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	<p>system energy efficiency, and renewable energy production. These measures will result in indirect GHG reductions through reduced energy requirements and, therefore, overlap with the reductions outlined in the electricity and natural gas sector.</p> <p><u>Recycling and Waste Management</u></p> <ul style="list-style-type: none"> • Reduce methane emissions from municipal solid waste landfills by requiring gas collection and control systems on landfills where these systems are not currently required and will establish statewide performance standards to maximize methane capture efficiencies. Additionally, as part of this process, CARB and CIWMB staff will explore opportunities to increase energy recovery from landfill methane gas. In April 2008, the CIWMB released a report prepared by SCS Engineers entitled “Technologies and Management Options for Reducing Greenhouse Gas Emissions from Landfills.” This report sets out a variety of BMPs from which landfill operators can choose in order to reduce the methane emissions associated with their operations, and provides a process by which to implement these measures. • Reduce GHGs by reducing the energy use associated with the acquisition of raw materials in the manufacturing stage of a product’s life-cycle. <p><u>High Global Warming Potential Measures</u></p> <ul style="list-style-type: none"> • Reduces GHG emissions associated with high global warming potential (GWP) materials in consumer products. High GWP chemicals are commonly used in consumer products, including refrigerators and air conditioners. <p><u>Green Buildings</u></p> <ul style="list-style-type: none"> • Comprehensive approach to reducing direct and upstream GHG emissions that cross-cuts multiple sectors, including electricity and natural gas, water, recycling and waste, and transportation. In July 2008, the California Building Standards Commission adopted the Green Building Standards Code for all new construction in the state. Initially, these measures are voluntary, but a mandatory code is planned to become applicable in 2011. A total of 26 MMTCO_{2e} in GHG emission reductions is estimated to occur under this program, which includes both new construction and building retrofits. <p>GHG Emissions Reductions from the 2009 Title 24 Standards</p> <p>The 2009 Building Energy Efficiency Standards for residential and nonresidential buildings will become effective on August 1, 2009. Implemented through changes to Title 24, the 2009 Title 24 Standards include requiring cool roof compliance and changes to lighting standards. The 2009 Title 24 Standards are expected to result in reductions of approximately one ton per household per year of CO_{2e}. (California Energy Commission 2008.)</p>				

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	<p>GHG Emissions Reductions Achieved Through Local Measures</p> <p>SJVAPCD has published air quality guidelines for general plans, which include goals, policies, and programs designed to improve air quality by implementation of design features that reduce vehicle trips and miles traveled. Design features that reduce criteria pollutant emissions also reduce GHG emissions through a reduction in VMT. Design guidelines set forth by the SJVAPCD to reduce VMT shall be strongly encouraged within the Project Area. The Lead Agency would strongly encourage the incorporation of all feasible measures, policies, and procedures that reduce GHG emissions from future development within the Project Area.</p> <p>Many of the measures and policies set forth in the Fresno General Plan that aim to reduce criteria pollutant emissions (listed above in Mitigation Measure MM AQ-1) also reduce GHGs. Additionally, the following measures as listed in the Draft Air Quality Update to the General Plan (City of Fresno 2009) shall be pursued, where feasible:.</p> <ul style="list-style-type: none"> • Encourage development proponents to offset or mitigate emissions by removing older, less efficient and higher emitting vehicles from service. • Control and reduce air pollution emissions form City operations and facilities. • Development of renewable energy projects and programs. • In cooperation with other jurisdictions and agencies in the SJVAB take steps to reduce GHG emissions. • Conduct a GHG inventory. • Develop a policy for emission credits generated through City facilities, programs, and policies. • Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to City jurisdiction. • Consider strengthening City standards for purchasing low polluting and climate friendly goods and services. • Prioritize energy and water conservation through various measures. • Maintain current levels of achievement for recycling and reuse. • Make transportation services more efficient. • Continue to enhance landscaping consistent with energy and water conservation principles. <p>Future development within the Project Area will be consistent with the City’s, SJVAPCD’s, and other regional goals and policies set forth aimed at reducing GHG emissions in the region. Because this is a highly dynamic area of policy, many of the</p>				

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	policies and regulations will develop over the lifetime of the Project. Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant shall be required to achieve consistency with the most current guidance and plans in accordance with this mitigation measure and then-current laws and regulations.				

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3B	Cultural Resources				
#5 CR-1	<p>MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the South Van Ness, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas. <i>The City shall conduct a Historic Building Survey of the South Van Ness Industrial Redevelopment Project Area. [1998 EIR MM 3.15-5]</i> The City shall conduct a Historic Building Survey of all pre-1965 resources and an Archaeological Survey of the South Van Ness Constituent Project Area (South Van Ness Survey). The City shall also conduct a Historic Building Survey and an Archaeological Survey of the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys). The Fulton Corridor Surveys shall augment previous surveys completed by the City of Fresno Planning and Development Department and will be coordinated by staff of the Downtown and Community Revitalization Department in consultation with the City’s Historic Preservation staff, as part of the Fulton Corridor Specific Plan. These surveys shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table 3B-1) and in accordance with <u>National Register Bulletin 24, Guidelines for Local Surveys: A Basis for Preservation Planning</u>. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior’s Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with the City of Fresno Planning and Development Department’s protocols as a Certified Local Government for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history; see Table 3B-2 below). Such work shall be coordinated and reviewed by the City of Fresno Historic Preservation staff and the City of Fresno Historic Preservation Commission (HPC).</p> <p><u>Survey Criteria</u></p> <p>The surveys (i.e., South Van Ness Survey and Fulton Corridor Surveys) shall evaluate resources by applying the following national, state, and local criteria:</p> <ul style="list-style-type: none"> • National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4); • California Register of Historical Resources (14 CCR Section 4852.); and • City of Fresno Historic Resources Designation Criteria (FMC 13-406). <p><u>Research Design</u></p> <p>Before the first survey is completed, a Research Design shall be developed by the City and submitted to the City of Fresno Historic Preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the Research Design examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The Research Design may simply refer to a</p>	<p>South Van Ness Survey: Ongoing; to be completed on or before January 2015</p> <p>Fulton Corridor Surveys: Ongoing; projected to be completed by 2012</p> <p>Individual Development Projects: Prior to approving Development Projects’ environmental documentation</p>	<p>City of Fresno Planning & Development Department; City of Fresno Historic Preservation Commission</p>		
		Steps to Compliance:			
		<p>A. City of Fresno Planning & Development Department, in coordination with the City of Fresno Historic Preservation Commission, will conduct the South Van Ness Survey and Fulton Corridor Surveys (collectively, Surveys) in compliance with MM CR-1. The Surveys will be reviewed by the City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission, and the Surveys will be approved (based on recommendations from the City of Fresno Historic Preservation Commission) by the City of Fresno Planning & Development Department.</p> <p>B. While the Surveys are being completed, City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission will review, and the City of Fresno Planning & Development Department (based on</p>			

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	<p>previously published design if it is applicable and reasonably current. The City shall ensure that HPC’s comments are incorporated into the Research Design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly.</p> <p><u>Survey Report and HPC Review</u></p> <p><i>The City shall consider and implement the recommendations of the Survey to the extent feasible. [1998 EIR MM 3.15-5]</i> The City shall provide draft survey reports to the City of Fresno Historic Preservation staff and the HPC for review and comment. Comments shall address the adequacy of each survey’s results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the Research Design. Based on the HPC comments received, the City may revise a survey report accordingly, may conduct additional research, and may conduct additional survey. The City shall provide the final survey reports to the City of Fresno Historic Preservation staff and the HPC for review and final approval.</p> <p><u>Timeframe</u></p> <p>The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012.</p> <p>Table 3B-1. OHP Standards for Intensive-Level Surveys</p> <div style="border: 1px solid black; padding: 5px;"> <p>Information about how to conduct and report survey activities can be found in <u>National Register Bulletin 24</u> (National Park Service 1985), the <u>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</u> (National Park Service 1983), and <u>California Historic Resources Survey Workbook</u> (Office of Historic Preservation 1986). Appendix 6 [in relevant part below] summarizes the fundamental topics that the Secretary of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <u>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</u> (Office of Historic Preservation 1989):</p> <p>“A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information:</p> <ol style="list-style-type: none"> 1. A clear statement of the purpose of the survey. 2. A definition of the survey area (with map of areas examined). </div>				<p>recommendations from the City of Fresno Historic Preservation Commission) will approve of individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. The City of Fresno Planning & Development Department will ensure that the results of the completed and approved MM CR-1 Surveys, to the extent feasible, are incorporated into each individual intensive-level historic resources survey reports for each Development Project, where applicable. Each Development Projects’ environmental document will incorporate appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable. Approval of these reports does not mean that the Development Project will be approved by the City Council.</p> <p>C. After all the Surveys are completed, City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission will continue to review, and the City of Fresno Planning & Development Department (based on recommendations from the City of Fresno Historic Preservation Commission) will continue to approve individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. The City of Fresno Planning & Development Department will ensure that the results of the MM CR-1 Surveys are incorporated into each individual intensive-level historic resources survey reports for each Development Project, where applicable. Each Development Project’s environmental document will incorporate appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable. Approval of these reports does not mean that the Development Project will be approved by the City Council.</p> <p>D. Verification of mitigation compliance to be performed through individual Development Projects’ MMRP, and will be monitored by City of Fresno Planning & Development Department.</p>

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	<p>3. A research design that examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current.</p> <p>4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above).</p> <p>5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources.”</p> <p>“Intensive surveys go beyond the systematic identification and description of historical resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain:</p> <p>6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate).</p> <p>7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional.”</p> <p>Source: Office of Historic Preservation 1995.</p> <p>Table 3B-2. Professional Qualifications Standards</p> <p>The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.</p> <p>History</p> <p>The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of</p>				

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	<p>the following:</p> <ol style="list-style-type: none"> 1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history. <p>Archaeology (including Historic Archaeology)</p> <p>The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:</p> <ol style="list-style-type: none"> 1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management; 2. At least four months of supervised field and analytic experience in general North American archeology, and 3. Demonstrated ability to carry research to completion. <p>In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.</p> <p>Architectural History</p> <p>The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:</p> <ol style="list-style-type: none"> 1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history. <p>Source: Secretary of the Interior's Professional Qualifications Standards (As Amended and Annotated) (36 CFR Part 61)</p>				

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<p>#6 CR-1</p>	<p>MM CR-2. Survey Protocol for Future Development Projects. For the purposes of this mitigation measure, “Development Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or a development agreement with the City, Agency, or other public agency. A Development Project includes, but is not limited to, clearing or grading of land, improvement to existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. “Development Project site” is defined as the footprint of the Development Project, which includes all grading areas required for the construction of structures, utility improvements, and road improvements necessary for the Development Project. The “Development Project study area” is defined using the Area of Potential Effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” The Development Project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The Development Project study area is defined as the Area of Direct Impact (ADI) for historic archaeology. The ADI is limited to the exact location of the Development Project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations).</p> <p>The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the surveys described in Mitigation Measures CR-1 are completed.</p> <p>The following survey protocol shall be implemented for surveyed and unsurveyed areas in the Project Area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Section 5020-5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each Development Project.</p> <p><u>Historic Buildings Survey Protocol</u></p> <p>Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant shall retain the appropriate preservation consultant to</p>	<p>Prior to approving Development Projects’ environmental documentation</p>	<p>City of Fresno Planning & Development Department; City of Fresno Historic Preservation Commission</p>		<p>A. City of Fresno Planning & Development Department will require an intensive-level historic resources survey for each Development Project within the Project Area and in compliance with MM CR-2.</p> <p>B. City of Fresno Planning & Development Department and the City of Fresno Historic Preservation Commission will review, and the City of Fresno Planning & Development Department will approve (based on recommendations from the City of Fresno Historic Preservation Commission) of individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. Approval of these reports does not mean that the Development Project will be approved by the City Council.</p> <p>C. City of Fresno Planning & Development Department will ensure each Development Projects’ environmental documentation incorporates appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable.</p> <p>D. Verification of mitigation compliance to be performed through individual Development Projects’ MMRP, and will be monitored by City of Fresno Planning & Development Department.</p>

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	<p>conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior’s Professional Qualifications for History or Architectural History (see Table 3B-2) and be approved by the City’s Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows:</p> <ol style="list-style-type: none"> 1. <i>Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age. [1998 EIR MM 3.15-5]</i> The 45-year age criterion in this SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50-year age criterion. Survey work shall be conducted per the OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a Development Project to obtain all necessary approvals and entitlements while ensuring that all 50-year-old structures within a Development Project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed Development Project study area—including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture—on State of California DPR Primary and Building, Structure and Object forms (DPR 523 A and B) and/or Primary and District Record forms (DPR 523 A and D), following guidelines published in the California Office of Historic Preservation’s handbook, Instructions for Recording Historical Resources (1995). If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation. 2. <i>Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City’s Local Register. [1998 EIR MM 3.15-5]</i> The consultant shall evaluate the significance and integrity of all resources of the Development Project study area for eligibility for listing on the National Register, the California Register, and the City’s Local Register. If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation. 3. Submit a draft copy of the intensive-level historic resources survey for each Development Project to City of Fresno Historic Preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation accordingly and the assessment shall be finalized. The requirements for an intensive-level survey to OHP standards are found in Table 3B-1. 				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>4. <i>Should a property be determined eligible for listing on the City’s Official List, the procedures under this Mitigation Measure ... shall apply as follows: Should a Development Project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to Development Project approval the City and/or the Redevelopment Agency shall demonstrate that it has reasonably explored and considered alternatives to the Development Project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure. [1998 EIR MM 3.15-5] The term “listed historic structure” is hereby defined to also include historical resources identified as significant in a case-by-case survey. Section 15064.5(a)(2) of the CEQA Guidelines states “historical resources,” “identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant.”</i></p> <p>5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant Development Project effects to designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the CEQA guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City’s Historic Preservation staff.</p> <p>6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of Development Project impacts, and proposed mitigation of potential impacts on resources within the Development Project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City of Fresno’s Planning and Development Department for review and approval.</p> <p>Upon completion of an intensive-level historic resources survey for a Development Project, Lead Agency staff or the City of Fresno Historic Preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the Local Register or a potential historic resource within the meaning of PRC, Section 21084.1 and CEQA Guidelines Section 15064.5.</p> <p><i>Notice and Orders issued for violation of the Housing Code, Dangerous Building Ordinance, and Exterior Building Maintenance Ordinance, as related to properties 45 years of age and older, shall be made available to the City’s Historic Preservation staff and their Historic Preservation Commission for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances. [1998 EIR MM 3.15-5] The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion.</i></p>				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p><u>Historic Archaeological Site Evaluation Protocol</u></p> <p><i>Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Development Department shall be notified. The developer shall consult with a qualified archeologist and the Archaeological Inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin. [1998 EIR MM 3.15-1]</i></p> <p>Prior to the approval and issuance of Development Project-related entitlement, the Development Project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior’s Professional Qualifications for Archaeology (Historic) and shall be approved by the City’s Historic Preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether or not there are sub-surface historic archaeological deposits that pre-date the buildings within the Development Project site or that there is the potential to yield sub-surface historic archaeological deposits in the Development Project study area. This work will entail the following tasks:</p> <ol style="list-style-type: none"> a. Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archeological significance. Resource materials will include but are not limited to Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits. b. In order to effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI. c. Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct onsite archaeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching; limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI. d. The City, based on the results and evaluation of the subsurface investigation and archaeologist’s professional judgment, in consultation with the City’s Historic Preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the CEQA Guidelines. If there are, the City will further consult to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted. e. A technical resources report documenting the inventory process, identification of 				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>resources, evaluation of Development Project impacts, and proposed mitigation of resources within the Development Project site shall be prepared by the archaeologist. A final hard copy and a CD with an electronic file in PDF format of the report shall be submitted to the City of Fresno's Planning and Development Department for review and approval.</p>				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3C	Hydrology and Water Quality				
#7 WQ-1	<p>MM UTIL-1. Site Plan Review Trigger. In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City’s Special Permit review process, set forth in Fresno Municipal Code, section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City’s Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.</p>	<p>Prior to approving future developments’ environmental documentation</p>	<p>City of Fresno Public Utilities Department; City of Fresno Planning & Development Department</p>		
		<p>Steps to Compliance:</p> <p>A. City of Fresno Public Utilities Department will evaluate future developments’ site plans to determine whether the anticipated water demand generated by the particular future development is consistent with the anticipated demand set forth in the City’s Urban Water Management Plan.</p> <p>B. If it is determined by the City that the proposed development would potentially result in a cumulative water demand greater than what is anticipated in the UWMP, the City of Fresno Public Utilities Department will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. The City of Fresno Public Utilities Department may place additional water conservation conditions on these future developments or require the acquisition of additional water entitlements to offset the water demand of these future developments not covered in the Fresno UWMP as part of the issuance of a special permit.</p> <p>C. City of Fresno Public Utilities Department will present City of Fresno Planning & Development Department with a copy of the special permit prior to issuance of building permits for each future development, if warranted.</p>			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3D	Noise				
#8 NOI-1, NOI-2, and NOI-3	<p>MM-NOI-1. Adhere to Noise Element Mitigation Requirements. In accordance with the Noise Element, all future development that included stationary noise sources would be required to conduct an acoustical study, and to install noise controls so exterior and interior noise levels at nearby noise-sensitive property to achieve the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available:</p> <ul style="list-style-type: none"> • purchase of low-noise equipment, • installation of noise silencers on mechanical equipment, • use of site structures to provide natural shielding, and • installation of noise barriers. <p>In accordance with the Noise Element, all future development in the Project Area where the forecast future exterior noise levels exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study, and provide noise control measures to reduce indoor and outdoor noise levels to the appropriate allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The Noise Element describes a wide range of additional noise abatement measures that can be considered:</p> <ul style="list-style-type: none"> • Site planning, to maximize the distance between sensitive receptors and local noise sources. • Placing non-sensitive land uses (e.g., parking lots) to provide a buffer zone. • Orienting outdoor use areas (e.g., balconies) on the sides of buildings away from noise sources. • Arranging site buildings to shield noise sensitive areas within the facility. • Constructing sound barrier walls along freeways and heavily traveled arterials, if feasible based on local site conditions. • Installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes. 	<p>Prior to approving future developments' environmental documentation</p>	<p>City of Fresno Planning & Development Department</p>		
		<p>Steps to Compliance:</p> <p>A. City of Fresno Planning & Development Department will require future development to submit a noise study that includes noise control measures and noise abatement measures, if applicable.</p> <p>B. Verification of noise control and abatement measures compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.</p>			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 1 Redevelopment Plan Amendments Project

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3E	Hazards and Hazardous Materials				
#9 UTIL-2 and UTIL-3	<p>MM UTIL-1. Site Plan Review Trigger. In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City’s Special Permit review process, set forth in Fresno Municipal Code, section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City’s Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.</p>	<p>Prior to approving future developments’ environmental documentation</p>	<p>City of Fresno Public Utilities Department; City of Fresno Planning & Development Department</p>		
<p>Steps to Compliance:</p> <ul style="list-style-type: none"> A. City of Fresno Public Utilities Department will evaluate future developments’ site plans to determine whether the anticipated water demand generated by the particular future development is consistent with the anticipated demand set forth in the City’s Urban Water Management Plan. B. If it is determined by the City that the proposed development is anticipated to have a cumulative water demand greater than what is anticipated in the UWMP, the City of Fresno Public Utilities Department will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. The City of Fresno Public Utilities Department may place additional water conservation conditions on these future developments or require the acquisition of additional water entitlements to offset the water demand of these future developments not covered in the Fresno UWMP as part of the issuance of a special permit. C. City of Fresno Public Utilities Department will present City of Fresno Planning & Development Department with a copy of the special permit prior to issuance of building permits for each future development, if warranted.. 					

Appendix B

**Excerpt of the City's General Plan Containing
Historic Resources Objectives and Policies**

G-9-a. Policy: The city shall continue its leadership role in energy conservation through its own facilities and operations.

- The city shall continue its existing beneficial energy conservation programs.
- All new construction and major renovations in municipal buildings shall conform to applicable Title 24 energy standards.

G-9-b. Policy: The city shall periodically consult with utilities and regulatory, and state-level planning agencies to refine service demand estimates and to facilitate area-wide energy distribution.

G-9-c. Policy: Through its regulation of land use planning and development, the city will provide for energy conservation.

- Current energy-efficient planning and construction guidelines will be maintained.
- Environmental review of development projects (including changes in land use designations) will include a description of energy consumption and conservation features that are, or feasibly could be, incorporated into these projects.
- Siting, building orientation, structural design, and landscaping of a proposed land use or development project will be considered in relation to energy efficiency. Energy efficiency will be a factor that is considered in the decision process for projects.
- In regard to the Solar Rights and Solar Shade Acts of 1978, the city shall observe provisions in state law regarding solar access and shall continue to study whether further legislation is necessary.
- At the interface of commercial or industrial and residential land uses, or the interface of multi-family with single-family residential land uses, height restrictions and/or setbacks should be used at the common boundary to ensure solar access to structures on both sides of the boundary.
- Updated information on California Title 24 and other energy conservation guidelines and measures will be made available to staff and the area construction industry.

Historic Resources

G-10. OBJECTIVE: Foster community pride, attract visitors and tourists to distinctive areas, provide recreational opportunities, enhance educational opportunities, and augment the body of scientific and historic knowledge through identification, appropriate recognition, and promotion of historic and cultural resources.

G-10-a. Policy: Establish, and periodically review, the defining criteria that characterize historic resources.

G-10-b. Policy: Historic structures, districts, sites, and landscape features shall be considered as those which:

- represent past eras, events, and persons important in history.
- provide significant examples of architectural styles of the past or are landmarks in the history of architecture.
- are unique and irreplaceable assets to the city and its neighborhoods or provide examples of the physical surroundings in which past generations lived, for this and future generations.
- designated historic districts shall be "living" examples of maintaining quality and continuity of historic resource material and the overall character of the neighborhood.

G-10-c. Policy: Unique prehistoric resource sites shall be considered as those archaeological and paleontological sites which:

- contain information needed to answer important scientific research questions.
- have special quality or unique features, such as being the oldest, largest, or most complete example of a particular type of site or are directly associated with a scientifically recognized prehistoric or historic event or person.

G-10-d. Policy: Utilizing a combination of historic preservation staff, citizen volunteers, and qualified professionals hired with available funds, conduct a survey of the general plan area to create and maintain a computerized database of building/housing stock information within the city's planning area, using an inventory system which includes relevant facts, including year of construction and other historic information as appropriate.

- Historic preservation staff will provide training, guidance, and oversight to assist and encourage citizen volunteers in conducting a first-level survey to identify all candidate historic resources by physical and cultural attributes such as age of the resource, architectural style, neighborhood siting, prominence in local history, and any special features or events associated with it.
- City staff will utilize results of the above survey to prepare grant applications and budget requests for more detailed surveys to determine the nature of potential historical resources indicated by the first level screening. The city will also use available funding and other contributions to conduct detailed surveys.
- Findings of detailed historical resource surveys will be archived in a permanent, retrievable, user-friendly database that is continually updated.
- The city will cooperate with other jurisdictions, agencies, and organizations to collect information on historic and candidate sites.

G-10-e. Policy: Facilitate community awareness of historic and cultural resources and encourage public participation in related programs.

- The city will develop resources to assist and encourage citizen participation in the implementation of historic preservation policies and programs.
- Develop a district-oriented approach for promoting the historic heritage of Fresno neighborhoods. Sponsor and assist in the development of "walking tours," portable multi-media presentations, brochures, and newsletters to promote Fresno's historic values and these areas' private and public preservation efforts.
- Promote and participate in federal, state, local, and privately sponsored grants, demonstration programs, and projects that are directed toward historic structure revitalization and modern-day adaptive reuses (such as the National Trust for Historic Preservation's "Main Street Program").
- Enlarge the role of the Historic Preservation Commission in advising the city council, other legislative bodies, and the general public on the wide range of historic preservation issues.
- Coordinate with Caltrans, the State Office of Historic Preservation, the Convention and Visitors Bureau, Historical Society, Chamber of Commerce, Downtown Association, public utilities (such as railroad companies) and other agencies and interested parties to determine needs, design alternatives, and funding strategies for visitor information and entryway treatments that would encourage people to enjoy Fresno's historical and cultural features.

G-11. OBJECTIVE: Safeguard Fresno's heritage by preserving resources which reflect important cultural, social, economic, and architectural features so that community residents will have a foundation upon which to measure and direct physical change.

G-11-a. Policy: Continue and expand the city's comprehensive historic preservation program, as set forth in this Historic Resources component of the general plan.

G-11-b. Policy: The Historic Preservation Commission shall take a lead role in the following historic preservation activities:

- surveying, identifying, and recommending approval of the designation of historic resources, including conservation and heritage districts.
- making annual budget cycle funding requests to city, county, state, and federal agencies, and to private foundations and nonprofit public corporations and prioritizing which historic conservation projects should receive available city-administered funding for implementation of historic preservation objectives.

- appropriately staff the city historic preservation program to implement the city's historic preservation policies and programs.
- programs aimed at neighborhood improvement, including nuisance abatement, shall complement the preservation of cultural resources.
- increase cooperative efforts with the Fresno County Historic Landmarks and Records Advisory Commission.

G-11-c. Policy: Implement and broaden the resource conservation program as set forth by the Preservation of Historic Structures Ordinance.

- Perpetuate, protect, enhance, and revitalize historic resources.
- Encourage adaptive current uses of historic resources, while preserving their unique features.
- Zoning, building, fire, health, housing, landscape/xeriscape, and other related codes shall be liberally construed, and amended if necessary, to provide for a more supportive regulatory structure to assist in historic preservation objectives, while maintaining the essential level of protection for health and safety.
- Encourage the use of, and educate city staff on the use of, the State Historic Building Code. This code shall be used to guide plan checking and inspections in structures that have been recognized by the Historic Preservation Commission as qualified under the Historic Building Code.
- Before the issuance of a formal demolition order by the city involving structures over fifty (50) years old, potential Local Register listing shall be reviewed by historic preservation staff, and, if necessary, referred to the Historic Preservation Commission. This shall be subject to staffing levels and amendment of the city's Historic Preservation Ordinance.
- Before any nonemergency removal of historic trees or landscape elements, the City Historic Preservation Commission shall be given an opportunity to review the proposed action and make a recommendation as to potential alternative actions.
- Prior to demolition, the city shall offer for sale all city-owned relocatable Local Register, National Register, or State Landmark structures acquired within public project boundaries to buyers prepared to relocate the structures. All such structures shall be offered for sale a minimum of 180 days. Preference will be given to buyers intending to relocate these structures to parcels in designated city historic districts.

- The Historic Preservation Commission may recommend to the city council that the city be the "purchaser of last resort" to acquire endangered structures that are on the Local or National Historic Register, or are State Historic Landmarks, and relocate them to other locations in historic districts. The commission and council shall establish criteria to prioritize the acquisition of endangered historic structures based upon economic feasibility for each individual project and the need to balance such commitments of financial resources so that an acquisition does not materially detract from accomplishing other priority projects which require public historic preservation funding.

G-11-d. Policy: Prehistoric resources (those containing archaeological and paleontological material) shall be protected.

- In any public or private project, it shall be a condition of project permits that work stop immediately in the immediate vicinity of the find if archaeological and/or nonhuman fossil material is encountered on the project site.
- If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological materials are possibly Native American in origin, the Native American Heritage Commission shall be immediately contacted, and the California Archeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.
- An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the city on further site investigation or site avoidance/preservation measures.
- If nonhuman fossils are uncovered, the Museum of Paleontology at U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. If the paleontologist determines the material to be significant, it shall be preserved.

G-11-e. Policy: If the site of a proposed development or public works project is found to contain unique prehistoric (archaeological or paleontological) resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:

- amending construction plans to avoid prehistoric resources.
- setting aside sites containing these resources by deeding them into permanent conservation easements.

- capping or covering these resources with a protective layer of soil before building on the sites.
- incorporating parks, green space, or other open space in the project to leave prehistoric sites undisturbed and to provide a protective cover over them.
- in order to protect prehistoric resources from vandalism or theft, their location shall not be publicly disclosed until or unless the site is adequately protected.

G-11-f. Policy: Establish historic districts to recognize and protect areas with significant architectural and historic resources, including supporting districts. Develop strategies and plans for restoration, rehabilitation, and enhancement of historic and supporting districts, to ensure their preservation and to provide an integrated program for compatible development within these neighborhoods.

- Encourage the preservation and rehabilitation of historic resources as design themes in historic neighborhoods.
- Develop and implement "Historic/Heritage District Streets" policies in City Streetscape Master Plans.
- Adopt and maintain a list of designated Historic Streets, and depict these streets in the circulation elements of specific and community plans.
- Seek funding for installing, replacing, and repairing needed public facilities and street furniture which would enhance historic districts. Visible improvements, including landscaping, shall support the representative era of historic districts and their architectural themes.
- Provide protection for, and routine maintenance of, character-defining streetscape and landscape elements in historic districts.
- Save historically or architecturally significant structures by using available infill sites in historic districts. Preference shall be given to selling or using such city-owned sites for relocating privately-owned and publicly-owned historic structures.
- When evaluating subdivision applications and land use entitlements in historic districts, longstanding precedents for lot size and land uses (including mixed patterns of land use) shall be considered.
- Require compatible design when infill development or construction occurs in historically significant areas.
- Identify, promote, and participate in federal- and/or state-sponsored demonstration projects, such as the "Main Street Program" sponsored by the National Trust for Historic Preservation.
- Encourage the use of a "Historic Facade Easements" program.

G-11-g. Policy: Achieve historic resource conservation goals through other community plans and programs.

- Integrate historic preservation into new development and redevelopment projects. Identify candidate and recognized historic resources in the early stages of plan preparation and policy development by coordinating historic preservation survey research with policies and design strategies (including landscaping and streetscape themes).
- Redevelopment areas shall be screened for possible historic resources which would be adversely affected by the redevelopment proposal. More detailed assessments shall be done on register candidate properties, and recommendations for the treatment of those properties shall be forwarded through the Historic Preservation Commission to redevelopment planning staff.
- Interdepartmental review procedures shall continue to ensure that preservation policies are respected in community decision-making. When proposals may affect historic resources, land use plans, development projects, capital improvement programs and public services delivery, plans shall be reviewed by the Historic Preservation Commission for comment on their compatibility with historic resources and preservation goals.
- When proposed plans, projects, policies, or programs conflict with historic preservation objectives, the Historic Preservation Commission's recommendations on resolving the conflict shall be considered by staff, planning commission, and the city council.
- Uphold historic preservation policies included in all approved city land use plans.

G-11-h. Policy: Assist in, or develop, new complementary and cooperative programs, both public and private, to promote the preservation of historic and cultural resources.

- Prepare National Historic Register applications for city-owned properties as appropriate.
- Maintain Fresno's Certified Local Government status under the state-administered program.
- Explore the feasibility of attaining Mills Act eligibility for qualifying Fresno sites.
- Host workshops and make information available to assist property owners in researching and preparing Local Register, California Landmark, and/or National Historic Register applications.
- Prepare and publish manuals to address appropriate and inappropriate types of modifications to historic buildings and to public areas in historic districts.
- Encourage the County of Fresno and other local jurisdictions to adopt complementary resolutions and ordinances to support historic preservation.

G-11-i. Policy: Develop methods to facilitate private ownership and upkeep of historic resources and to encourage private reinvestment in historic preservation.

- Assist the private sector in the development and promotion of programs to support the acquisition and rehabilitation of historic resources.
- Develop incentives and zoning bonus programs as methods to encourage the preservation of historic resources.
- Examine various financing strategies and public funding opportunities for use in the preservation and rehabilitation of historic resources.
- Establish, if feasible, monetary incentives (such as fee reductions, grants, and low-interest loan programs) for restoration or rehabilitation of historic resources.
- If feasible, implement tax incentives for the restoration and maintenance of historic resources.

Native Plants and Wildlife

G-12. OBJECTIVE: To provide for long-term preservation, enhancement, and enjoyment of plant, wildlife, and aquatic habitat resources in the Fresno area by protecting, improving, and restoring these resources.

G-12-a. Policy: Support state, federal, and local programs to acquire significant habitat areas in and near Fresno for permanent protection and/or conjunctive educational and recreational use.

G-12-b. Policy: The City of Fresno will participate in cooperative, multi-jurisdictional approaches (involving the Counties of Fresno and Madera, the City of Clovis, the San Joaquin River Conservancy, the Metropolitan Flood Control District, and other agencies and organizations) for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species that could be adversely affected by continued population growth and development.

G-12-c. Policy: In development projects, consider the incorporation of natural features (such as ponds to be designed and managed for habitat values, or hedgerows and wooded strips) such that these features can serve as a buffer for adjacent natural areas and/or an enhancement to the ecological values of Fresno.

G-12-d. Policy: Projects that could adversely affect rare, threatened, or endangered wildlife and vegetative species (or may have impacts on wildlife, fish, and vegetation restoration programs) may be approved only when findings are made by the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated in the project's design.

**Fresno Merger No. 1 Redevelopment Plan
Amendments Project**

**Draft Subsequent
Environmental Impact Report**

SCH No. 2008081011

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Executive Summary

Executive Summary

Introduction

The Fresno Merger No. 1 Redevelopment Plan Amendments Project (Project) involves proposed amendments to nine redevelopment plans. The Project encompasses separate Constituent Project Areas, described below, each of which has its own Constituent Redevelopment Plan.¹ The nine Constituent Project Areas are as follows:

- Mariposa,
- Central Business District,
- Convention Center,
- Jefferson,
- Chinatown Expanded,
- West Fresno I,
- West Fresno II,
- Fulton, and
- South Van Ness Industrial.

The separate Constituent Project Areas are collectively referred to as the Project Area. The Project would 1) extend the Agency's ability to acquire property within the Project Area through use of eminent domain, 2) streamline the Constituent Redevelopment Plans to ensure consistency with the 2025 City of Fresno General Plan (General Plan) and future General Plan updates and other specific or community plans, and 3) amend specific time and financial limits for the Constituent Project Areas, as described below. The Project also includes updating mitigation measures previously adopted in conjunction with the Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009, June 1998 (1998 EIR) (Redevelopment Agency of the City of Fresno 1998).

¹ Each Constituent Project Area, as well as its associated Constituent Redevelopment Plan, is called a Constituent Plan in the *Preliminary Report for the Amendments to the Merger No. 1* (Preliminary Report) (Keyser Marston Associates, Inc. 2008), attached hereto as Appendix B.

The Redevelopment Agency of the City of Fresno (Agency) and the City of Fresno (City) are collectively the Lead Agency pursuant to the California Environmental Quality Act (CEQA) for the preparation of the Draft Subsequent Environmental Impact Report (Draft SEIR) for the Project. This executive summary identifies the purpose of the Draft SEIR, provides an overview of the Project and alternatives, summarizes the potential impacts and mitigation measures associated with the Project, and includes the required contents set forth by CEQA Statutes and CEQA Guidelines.

Purpose of the Draft SEIR

Prior to a discretionary action regarding the Project, the Lead Agency is required to conduct an environmental review to consider the environmental effects or consequences of its decision. The purpose of this Draft SEIR is to evaluate the potential environmental impacts associated with the proposed project, and to identify mitigation measures and alternatives to the proposed project that may reduce or eliminate impacts.

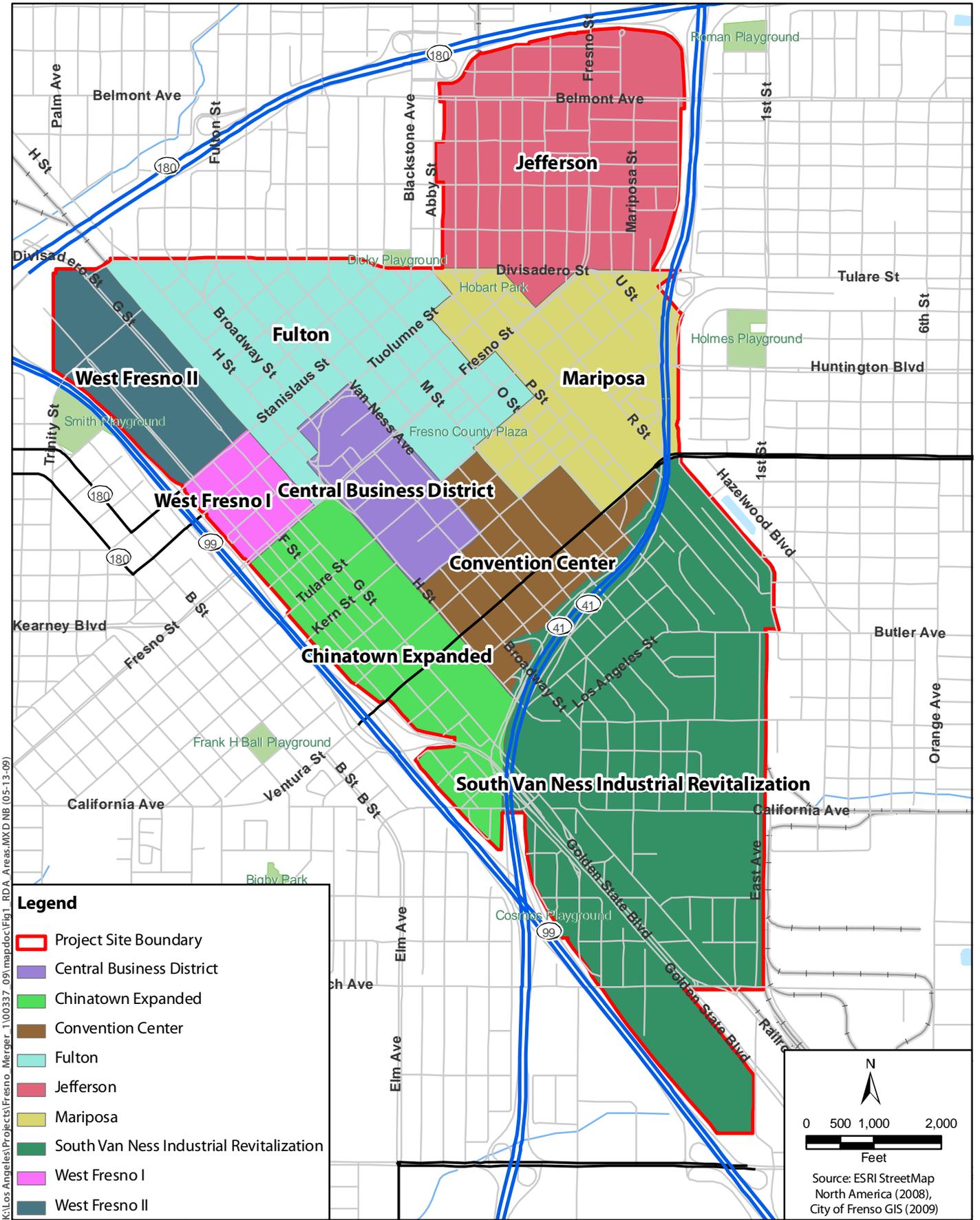
Project Description

Project Location and Existing Conditions

The Project Area is within the City's central urban core and is surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. Figure ES-1 shows the boundaries of the Project Area and each Constituent Project Area. Figure ES-2 shows the current General Plan land use designations within the Project Area. Figure ES-3 shows the current City zoning designations within the Project Area.

The following General Plan land use designations can be found within the Project Area (see Figure 2-2):

- Commercial,
- Commercial/Mixed-Use Level 1 (Central Area),
- Commercial/Mixed-Use Level 2 (Central Area),
- Freeway,
- Industrial/Heavy,
- Industrial/Light,
- Open Space,
- Public Facility,



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Legend

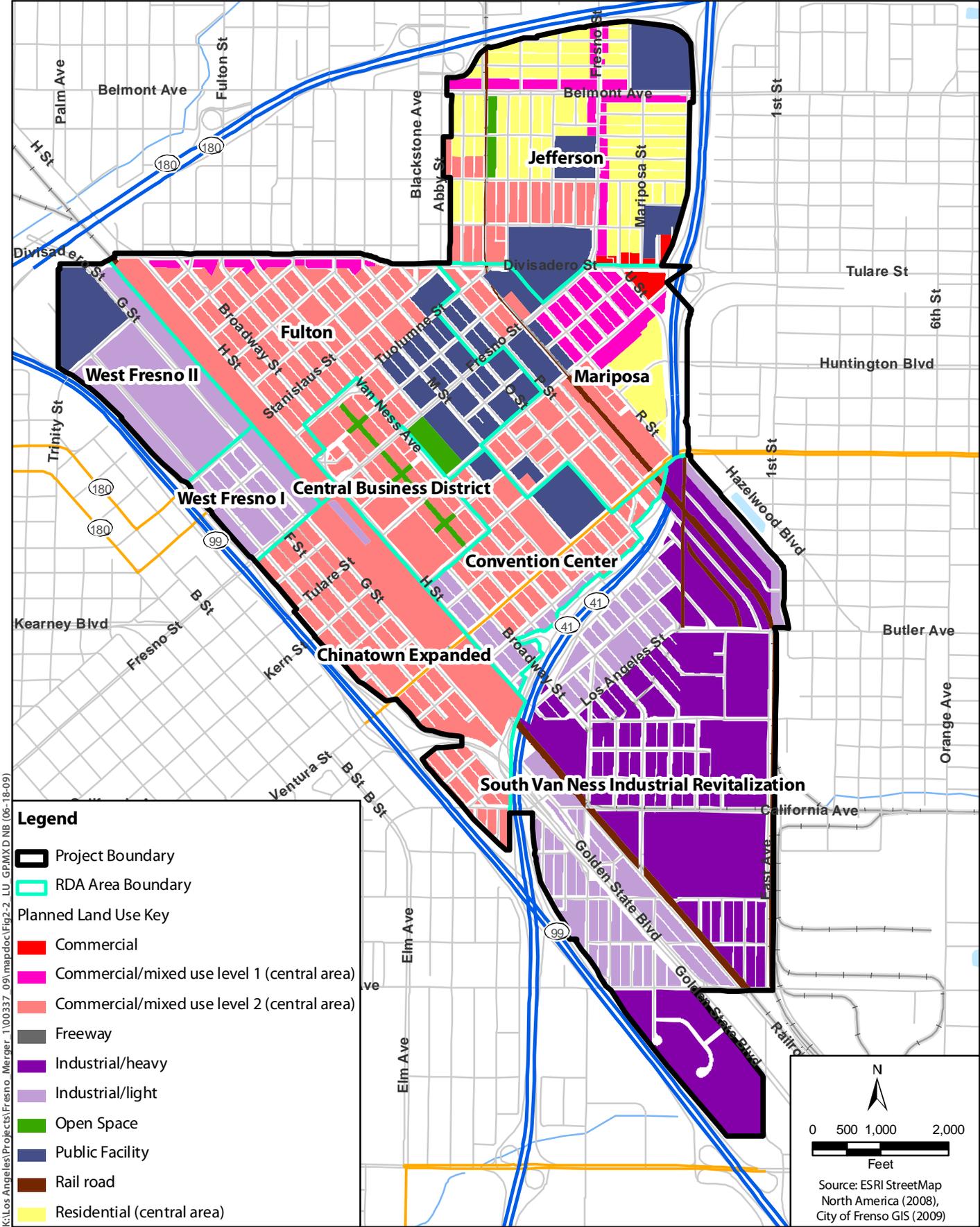
- Project Site Boundary
- Central Business District
- Chinatown Expanded
- Convention Center
- Fulton
- Jefferson
- Mariposa
- South Van Ness Industrial Revitalization
- West Fresno I
- West Fresno II

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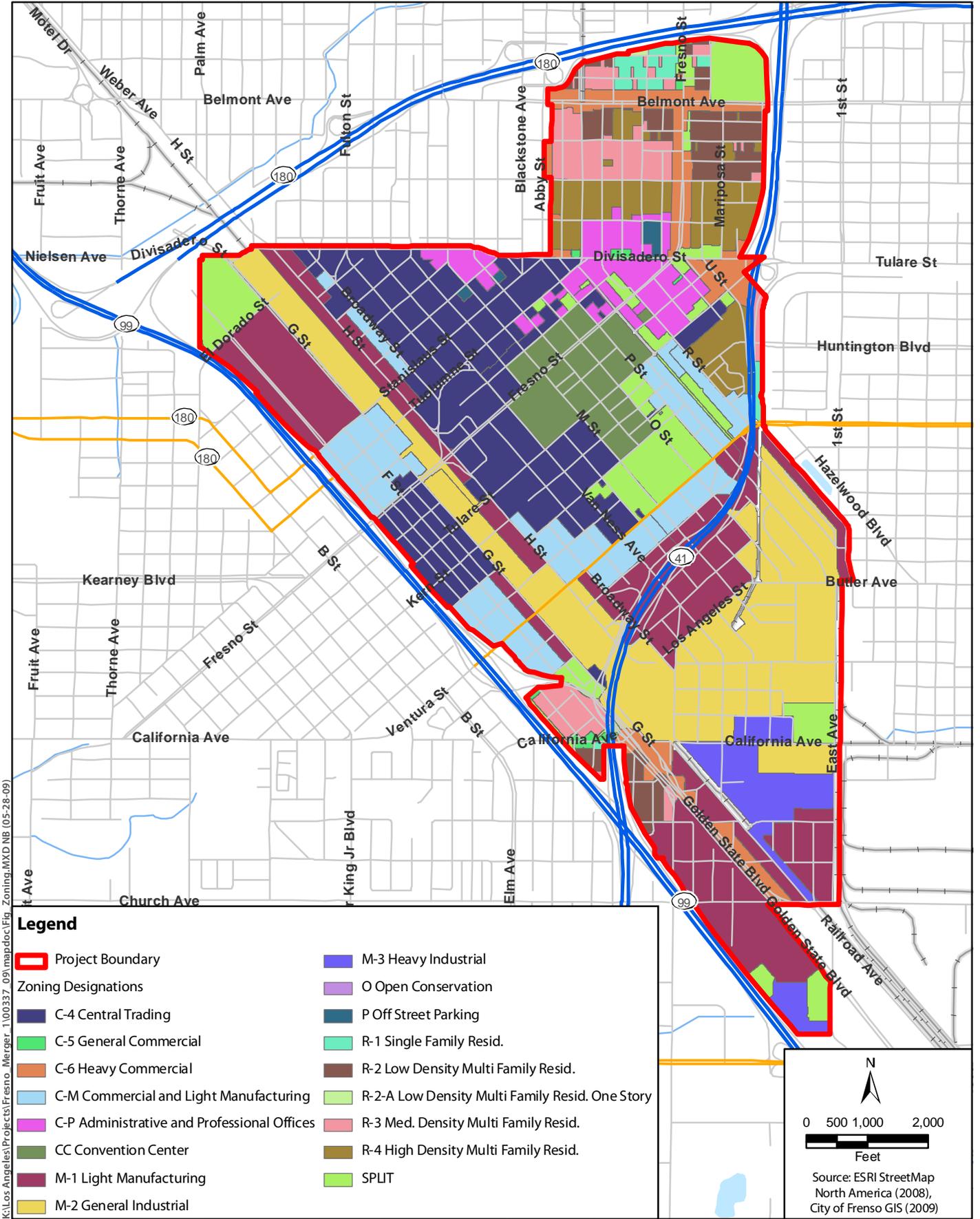
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Figure ES-2
General Plan Land Use Designations



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Figure ES-3
City Zoning Designations

- Railroad, and
- Residential (Central Area).

Zoning Designations

The following City zoning designations can be found within the Project Area (see Figure 2-3):

- Single-Family Residential District (R-1),
- Low-Density Multiple-Family Residential District (R-2),
- Low-Density Multiple-Family Residential-Agricultural District (R-2-A),
- Medium-Density Multiple-Family Residential District (R-3),
- High-Density Multiple-Family Residential District (R-4),
- Central Trading District (C-4),
- General Commercial District (C-5),
- Heavy Commercial District (C-6),
- Civic Center District (CC),
- Commercial and Light Manufacturing District (C-M),
- Administrative and Professional Office District (C-P),
- Light Manufacturing District (M-1),
- General Manufacturing District (M-2),
- Heavy Industrial District (M-3),
- Open Conservation District (O), and
- Off-Street Parking District (P).

Project Objectives

The CEQA Guidelines (Section 15124(b)) require that the project description contain a statement of objectives that includes the underlying purpose of the project.

The objectives of the proposed project are as follows:

As described in the 1998 EIR and summarized in the Preliminary Report, the Agency has the following existing objectives for redevelopment activities within the Project Area:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area;
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and facilitate economic activity;
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, thereby encouraging the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area;
- The expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households; and
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the Project Area adversely.

The primary objective of the Project is to allow the Agency to continue to implement a comprehensive economic development strategy to alleviate blight² in the Project Area. The provisions of California Redevelopment Law (Health and Safety Code Section 33000, et seq.) relative to tax increment limits, the time limits on the effectiveness of a redevelopment plan, and the use of eminent domain require the Agency to take the actions described above to continue effective redevelopment activities within the Project Area. The updated mitigation measures proposed would also allow the Agency to undertake activities while providing more effective consideration and protection of historic buildings.

Proposed Project

Specifically, the Project consists of the amendments listed below.

- Increase the tax increment limits for the Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, and West Fresno II Constituent Redevelopment Plans.
- Increase the time limit on the effectiveness of the Constituent Redevelopment Plans for all the Constituent Project Areas, except Fulton and South Van Ness Industrial.
- Increase the Agency's time limit to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Redevelopment Plans.

² As defined by Health and Safety Code, Section 33030 (effective January 1, 2008).

- Increase the time limits to receive tax increments and repay bonded indebtedness for all of the Constituent Redevelopment Plans, except for Fulton and South Van Ness Industrial Constituent Project Areas.
- Increase the time limit on the Agency's authority to use eminent domain in all of the Constituent Project Areas; however, the Agency would not have the authority to acquire, by use of eminent domain, any property on which persons lawfully reside in five of the Constituent Project Areas. These five Constituent Project Areas are 1) Central Business District, 2) Fulton, 3) Jefferson, 4) Mariposa, and 5) South Van Ness Industrial (see Table 2-1 for more information). In the Chinatown Expanded Constituent Project Area, the ability to acquire property by use of eminent domain would be extended to include all properties within the Project Area. In the Convention Center, Jefferson, and Mariposa Constituent Project Areas, the ability to acquire properties by use of eminent domain would also be limited to specific properties. These specific properties are shown in the Preliminary Report (Keyser Marston Associates, Inc. 2008).
- Amend the language found within the Constituent Redevelopment Plans for the Central Business District, Jefferson, Mariposa, West Fresno I, and West Fresno II, Fulton, and South Van Ness Industrial Constituent Project Areas to ensure that the Constituent Redevelopment Plans are consistent with the current General Plan and future General Plan updates and any applicable specific or community plans because the plans may be amended from time to time.
- Augment existing 1998 EIR cultural resources mitigation by:
 - Retaining Mitigation Measure 3.15-5 from the 1998 EIR and adding clarifying language that states the existing mitigation would require the City to complete intensive-level historic building surveys for the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) to California Office of Historic Preservation (OHP) standards (as described in Instructions for Recording Historic Resources, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these Constituent Project Areas concurrently with the intensive-level historic building surveys. The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012.
 - Requiring that applicants follow a survey protocol to be applied within the Project Area for historic resources during the discretionary approval phase of a proposed development. Similar to certified language for Mitigation Measure 3.15-5 in the 1998 EIR, this approach would apply while the South Van Ness Survey and Fulton Corridor Surveys are completed to allow the continued processing and approval of proposed Development Projects.

Please see Section 3B, Cultural Resources, for more information regarding additional proposed mitigation. Table 2-1 describes the time and debt limits to be extended and/or increased as a result of the Project.

Requested Entitlements and Approvals

The Agency's specific entitlement objective under this environmental document is for the Agency Board and the City Council to adopt amendments to the nine redevelopment plans, the Final SEIR, and the Mitigation Monitoring and Reporting Program (MMRP) report.

Environmental Impacts

Impacts Not Considered in This SEIR

The contents of this Draft SEIR were established based on an Initial Study (IS) and Notice of Preparation (NOP) prepared in accordance with the CEQA Guidelines, as well as public and agency input received during the scoping process. The IS was comprehensive and addressed every environmental issue contained within the Environmental Checklist, Appendix G of the CEQA Guidelines. Those specific issues that were found to have no impact or less-than-significant impact during preparation of the IS/NOP are not addressed further in this SEIR unless they were specifically identified by agencies, organizations, or interested parties during the NOP public review period and were determined to be relevant to the decision. The resource areas removed from consideration in the IS/NOP are:

- Aesthetics,
- Agricultural Resources;
- Biological Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Land Use and Planning;
- Mineral Resources;
- Population and Housing;
- Public Services;
- Recreation; and
- Transportation and Traffic.

Please see the IS/NOP in Appendix A for more information.

Impacts of the Project

Sections 3A through 3E provide a detailed discussion of the environmental setting, impacts associated with the proposed project, and mitigation measures designed to reduce significant impacts to less-than-significant levels, when feasible. The impacts, mitigation measures, and residual impacts for the proposed project are summarized in Table ES-1 at the end of this Executive Summary, and are discussed further below.

Summary of Less-Than-Significant Impacts

This SEIR addresses all potentially significant environmental impacts that were identified by the Lead Agency during the NOP scoping process and public review period for this SEIR. After further study and environmental review, this SEIR determined that no impacts on resource areas were less than significant without mitigation. Mitigation measures may be prescribed, however, in order to ensure impacts are minimized to the most practical and feasible extent.

Summary of Significant Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

After further study and environmental review in this SEIR, impacts on the following resource areas were determined to be significant without mitigation. The mitigation measures that were identified to reduce impacts of the proposed project to less-than-significant levels are discussed in Chapter 3 and are summarized in Table ES-1. Environmental impacts for the following issues would be reduced to less-than-significant levels with the incorporation of mitigation measures:

- Hydrology and Water Quality; and
- Utilities and Service Systems.

Summary of Significant and Unavoidable Impacts

After further study and environmental review in this SEIR, impacts on the following resource areas were determined to be significant and unavoidable with mitigation, if feasible.

Air Quality

The SEIR determined that direct and cumulative air quality impacts would be significant and unavoidable. Like the 1998 EIR, this SEIR concludes that, with

mitigation, impacts on air quality would remain significant and unavoidable as a result of the Project. Although incorporation of the practices outlined in Section 3A, Air Quality, and full compliance with all San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations would certainly temper air quality impacts that result from full build-out of the Project Area, these impacts will not be reduced to a less-than-significant level. The region is in extreme violation of the federal ozone standard as well as PM_{2.5} standards, and even small emissions from development that occurs as a result of the Project could exacerbate this violation.

Additionally, this SEIR concludes that, with mitigation, direct and cumulative impacts on greenhouse gas (GHG) emissions would remain significant and unavoidable as a result of the Project. Adoption of the measures cited above, when fully incorporated into future development within the Project Area, where feasible, will lessen GHG emissions from within the Project Area and potentially even achieve a reduction target of 29% below business as usual (BAU) as stated in Assembly Bill 32 (AB 32). Without a quantitative analysis of GHG emissions from specific construction and operations proposed, it is not possible to know if the above listed measures would indeed achieve that target. Nevertheless, for the Project to achieve a broad reduction goal of 29% below BAU, in line with the state's goals, action is also required of many third parties—including but not limited to California Air Resources Board (CARB), US Environmental Protection Agency (EPA), and local air districts—to adopt and fully implement GHG reduction requirements applicable to numerous sectors as described above. The Lead Agency lacks the authority to compel these third-party agencies to engage in these activities. The Lead Agency concludes that these requirements are within the responsibility and jurisdiction of these other public agencies, and can and should be adopted by these other agencies. However, as set forth in Mitigation Measure MM AQ-3, once these other agencies adopt these goals, thresholds and reduction requirements, subsequent projects shall be required to utilize these goals, thresholds, and reduction requirements for purposes of assessing a particular project's cumulative impacts on GHG and determining appropriate mitigation measures to place on the project to address these cumulative impacts. Thus, based on an abundance of caution and despite the lack of formal criteria for determining the level of significance of a Project's contribution to climate change at this time, the Lead Agency concludes that direct GHG emissions from the Project are significant and unavoidable.

Historic Resources

The SEIR also determined that direct and cumulative historic resources impacts would be significant and unavoidable. Like the 1998 EIR, this SEIR concludes that, with mitigation, impacts on historic resources would remain significant and unavoidable as a result of the Project. Additionally, like the 1998 EIR, this SEIR concludes that the Project would result in cumulatively considerable historic resources impacts that would be significant and unavoidable as a result of site acquisition and clearance; indirect effects related to differences in scale, bulk and

mass, architectural style, and color; and loss of continuity or association of the historic resource with its surroundings.

Noise

This SEIR has also determined that direct and cumulative impacts on noise would be significant and unavoidable. The General Plan Master Environmental Impact Report (General Plan MEIR) concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts to facilities constructed near freeways and railroads would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold throughout much of the Project Area. The General Plan MEIR concluded that Year 2025 traffic noise levels adjacent to some freeways and arterials within the Project Area would exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. The SEIR also concluded that future cumulative traffic and railroad increases would cause excessive future noise levels within many portions of the Project Area near freeways and railroads.

Growth-Inducing Impacts

The 1998 EIR concluded that future development could result in small population gains in the Project Area due to the construction of new housing units (Redevelopment Agency of the City of Fresno 1998). However, the effects on the population would be generally positive and not significant because housing programs within the Project Area would assist the City in meeting its housing needs and, in compliance with California Redevelopment Law, provide low- and moderate-income housing (Redevelopment Agency of the City of Fresno 1998). Future development may also bring additional people into the greater Fresno area as a result of job opportunities created by future development.

Future development within the Project Area is expected to be consistent with population forecasts adopted by the Council of Fresno County Governments to accommodate Fresno's fair share of the regional growth forecast (City of Fresno 2002). The Project is already accounted for in the General Plan and growth projections for the area. In addition, the project description requires the Project to remain consistent with the current General Plan and future updates.

The Project would not induce population growth, nor would it result in the extension of infrastructure (e.g., roads, potable water lines, sewer lines, etc.) that would facilitate future development in nonurban areas, such as open space on the fringes of the City. The Project Area is surrounded by existing urban areas where infrastructure is already in place. While some infrastructure would need to be rehabilitated or replaced due to deterioration or capacity needs, General Plan population forecasts would be accommodated.

Significant Irreversible Changes to the Environment

The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Therefore, the Project would not directly result in significant irreversible environmental changes.

Indirectly, the Project would facilitate future development, which would require the use of nonrenewable resources—such as metal alloys and aggregate resources—for physical construction. In addition, limited amounts of fuel would be used in the construction phase of future development. Operation of the Project would require the use of nonrenewable resources, such as fuel, which would be consumed by both residents and employees while traveling to or from the Project Area or making deliveries. Depending on the type of future development, the use of nonrenewable resources could, for example, be associated with fabrication or assembly activities.

The Project would not significantly increase the consumption of nonrenewable resources and would not significantly commit future generations to the unnecessary exploitation of nonrenewable resources. While various natural resources, such as construction materials and energy resources, would, as a result of the Project, be used for future development, the use of these resources, relative to similar urban development in the region, would not result in substantial resource depletion.

Alternatives to the Proposed Project

CEQA states that an EIR (including a SEIR) must address “a range of reasonable alternatives to the project, or to the location of the project, which are ostensibly feasible and could attain the basic objectives of the project, and evaluate the comparative merits of the alternatives.” Based on the Project objectives, four alternatives were considered for inclusion in this SEIR:

- Reduced Constituent Project Area Alternative,
- Reduced Time and Financial Time Limits Alternative,
- Other Entity or Entities Alternative, and
- No-Project Alternative.

Of these four alternatives, only the No-Project Alternative was considered further, for reasons explained below.

The Reduced Constituent Project Area Alternative was eliminated from further consideration because it fails to meet most of the Project objectives and does not avoid or substantially reduce any significant environmental effects in accordance with State CEQA Guidelines Section 15126.6(c). The Reduced Time and

Financial Time Limits Alternative was also eliminated from further consideration because it does not meet the Project objectives. The Other Entity or Entities Alternative also eliminated from further consideration because is speculative and does not need to be considered in this Draft SEIR.

The 1998 EIR also analyzed six possible alternatives (i.e., No-Project Alternative, Merger of Existing Project Areas Alternative, Extended Life Alternative, Separate Project Areas Alternative, Partial Merger Alternative, and Modified Development Scale Alternative), but determined that each of these alternatives would not meet some or all of the Project objectives and would not substantially lessen the significant effects of the Project. There is no new information that indicates that circumstances have changed since 1998. Please refer to Chapter 5, Alternatives Analysis, for a full discussion of why these alternatives were eliminated from further consideration in this SEIR.

No-Project Alternative

The one alternative identified and considered further by the Lead Agency in this Draft SEIR is the No-Project Alternative. The Lead Agency determined that, in compliance with State CEQA Guidelines Section 15126.6(e), the No-Project Alternative is the only alternative that must be examined.

Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a “no project” alternative. This no project analysis must discuss the existing condition as well as what would be reasonably expected to occur in the foreseeable future if the Project was not approved. Since the Project is the amendment (or revision) of nine existing redevelopment plans (Constituent Redevelopment Plans), Section 15126.6(e)(3)(A) of the State CEQA Guidelines is directly applicable to the Project:

When a project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy, or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

If the Project were not approved, the Constituent Redevelopment Plans would not be amended, and the expiration dates for seven of the nine redevelopment plans would not be extended and would eventually lapse; therefore, the Agency would ultimately not be able to undertake redevelopment activities in the Project Area after July 6, 2029 (the expiration date for the Fulton and South Van Ness Industrial Constituent Project Areas), rather than after January 28, 2048 (the proposed expiration date for the Chinatown Expanded Constituent Project Area).

If the Constituent Redevelopment Plans are not amended, the tax increment for seven of the nine Constituent Redevelopment Plans would not be increased, the

time limits to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Project Areas would not be increased, the time limits to receive the tax increment and repay bonded indebtedness for seven of the nine Constituent Redevelopment Plans would not be increased, and the time limits for the Agency's authority to use eminent domain would not be increased (see Chapter 2, Project Description, for specifics about proposed eminent domain time limit changes).

If the Constituent Redevelopment Plans are not amended, the language to amend seven of the nine Constituent Redevelopment Plans would not be incorporated to be consistent with the General Plan and future updates and any applicable specific or community plans.

If the Constituent Redevelopment Plans are not amended, existing historic resource mitigation would not be augmented.

Alternatives Analysis

The Lead Agency determined to provide a full analysis of the No-Project Alternative in this SEIR. This does not necessarily mean that this alternative has been found to be feasible, or that it would reduce or eliminate impacts in comparison to the Project. Table ES-2 provides a summary of this alternative impact analysis.

The SEIR concluded that the Project would be environmentally superior to the No-Project Alternative since it would likely result in lesser aesthetic and cultural resources impacts than the No-Project Alternative.

Areas of Controversy

Written agency and public comments received during the public review period are provided in Appendix C. In summary, the following project-related issues were identified during scoping, and, where appropriate, are addressed in the appropriate sections of this SEIR:

- air quality impacts and global climate change;
- impacts to historic resources;
- water and groundwater impacts beyond those analyzed in the most recent Urban Water Management Plan (UWMP); and
- utilities and service system impacts due to antiquated infrastructure within the Project Area.

Availability of This SEIR

This SEIR for the Project is being circulated to the public and agencies for review and comment. During the 45-day public review period, which began on February 2, 2010, and which will end on March 19, 2010, this SEIR will be available for general public review at the following locations.

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Central Library
2420 Mariposa Street
Fresno, CA 93721

Supporting documents not included in this SEIR are available for general public review at Redevelopment Agency of the City of Fresno, 2344 Tulare Street, Suite 200, Fresno, CA 93721. This SEIR will also be available for general public review on the Agency's website: <http://www.fresnorda.com>.

Interested parties may provide written comments on this SEIR, postmarked by March 19, 2010. Please address comments to:

Mr. David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Fax: (559) 498-1870

Upon completion of the 45-day public review period, written responses to all comments regarding environmental issues discussed in the Draft SEIR will be prepared and incorporated into the Final SEIR. The Final SEIR will be presented to the City's Planning Commission and Housing and Community Development Division for a recommendation to the Redevelopment Agency Board and City Council. The presentation to the Planning Commission will be at a scheduled public hearing. After receiving a recommendation, the Final SEIR will be sent to the Redevelopment Agency Board and City Council pursuant to CEQA and Redevelopment Law requirements in a joint meeting, for certification of the Final SEIR and making a decision on the Project.

Written responses to comments received from any state agencies will be made available to these agencies at least 10 days before the City Council meeting at which the certification of the Final SEIR will be considered. These comments,

and their responses, will be included in the Final SEIR for consideration by the Agency and City as well as any other decision makers.

Issues to Be Resolved

Section 15123(b)(3) of the State CEQA Guidelines requires that an EIR (including a SEIR) contain issues to be resolved, which includes the choice among alternatives and whether or how to mitigate significant impacts. The major issues to be resolved in the Project include decisions by the Lead Agency as to whether:

- the SEIR adequately describes the environmental impacts of the Project,
- the recommended mitigation measures should be adopted or modified,
- additional mitigation measures need to be applied to the Project, or
- the proposed amendments to the 1998 EIR should or should not be adopted.

Table ES-1. Summary of Project Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Level of Significance	Mitigation Measure	Residual Impact
AIR QUALITY			
Impact AQ-1. The Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.	Potentially Significant	<p>Mitigation Measure MM AQ-1. Recommended Air Quality Mitigation for Future Development. The following general mitigation measures are recommended for all future development within the Project Area.</p> <p>1. Comply with all SJVAPCD Constructions rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the Project Area include:</p> <p>a. Structural Demolition</p> <p>i. Water the following areas for the duration of the demolition activities:</p> <ol style="list-style-type: none"> 1. building exterior surfaces; 2. unpaved surface areas where equipment will operate; 3. razed building materials; and 4. unpaved surface areas within 100 feet of structure during demolition. <p>b. Pre-Activity</p> <p>i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time; and</p> <p>ii. phase work to reduce the amounts of disturbed surface area at any one time.</p> <p>c. Active Operations</p> <p>i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking;</p>	Significant and Unavoidable

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<ul style="list-style-type: none"> ii. construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas; iii. apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas; iv. limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is also expressly forbidden.); and v. operate construction equipment no longer than 8 cumulative hours per day. <p>d. Inactive Operations, Including after Work Hours, Weekends, and Holidays</p> <ul style="list-style-type: none"> i. Effectively stabilize all disturbed areas, including storage piles that are not being actively utilized for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; ii. apply water or dust suppressants on disturbed surface areas to form a visible crust; iii. restrict vehicle access to maintain the visible crust; and iv. shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15 minute maximum). <p>e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days</p> <ul style="list-style-type: none"> i. Restrict vehicular access and apply and maintain water or dust suppressants at all unvegetated areas; ii. establish vegetation on all previously disturbed areas; iii. apply gravel and maintain at all previously disturbed areas; and 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<ul style="list-style-type: none"> iv. pave previously disturbed areas. f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas <ul style="list-style-type: none"> i. Effectively stabilize all onsite unpaved roads and offsite unpaved access roads of dust emissions using water or chemical stabilizer/suppressant; ii. post speed limit signs of not more than 15 miles per hour at each entrance, and again every 500 feet; iii. apply water or dust suppressants to vehicle traffic and equipment storage areas; and iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%. g. Wind Events <ul style="list-style-type: none"> i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled. h. Outdoor Handling of Bulk Materials <ul style="list-style-type: none"> i. Apply water or dust suppressants when handling bulk materials; and ii. install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants. i. Outdoor Storage of Bulk Materials <ul style="list-style-type: none"> i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant; ii. cover storage piles with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>by wind action; and</p> <p>iii. install and maintain wind barriers with less than 50% porosity around the storage piles, and apply water or dust suppressants; and</p> <p>iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles.</p> <p>j. Onsite Transporting of Bulk Materials</p> <p>i. Limit vehicle speed on the work site; and</p> <p>ii. load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public access road;</p> <p>iii. apply a sufficient amount of water to the top of the load to limit visible dust emissions; and</p> <p>iv. cover haul trucks with a tarp or other suitable cover.</p> <p>k. Offsite Transporting of Bulk Materials</p> <p>i. Clean or cover the interior of emptied truck cargo compartments before leaving the site;</p> <p>ii. prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, and tailgates;</p> <p>iii. cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public access road to or from the Project site and apply a sufficient amount of water to the top of the load to limit visible dust emissions; and</p> <p>iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%.</p> <p>l. Outdoor Transport using a Chute or Conveyor</p> <p>i. Fully enclose chute or conveyor;</p> <p>ii. use water spray equipment to sufficiently wet the materials; and</p> <p>iii. wash or screen transported materials to remove fines (PM10 or</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>smaller).</p> <p>m. Valley Fever Mitigation</p> <p>i. All disturbed areas, including storage piles that are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.</p> <p>ii. Crews shall be required to use respirators during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.</p> <p>iii. Construction roads shall be paved or treated with environmentally safe dust-control agents.</p> <p>iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.</p> <p>v. During rough grading and construction, the access way into the Project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents.</p> <p>vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised on reducing exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, and frequently cleaning or replacing air intake filters for air conditioning systems.</p> <p>2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area source emissions, including rule 9510.</p> <p>3. Individual projects may exercise the option of entering into a VERA with the SJVAPCD to reduce emissions to less than significant.</p> <p>4. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable.</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>5. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies as outlined in the General Plan and General Plan updates. Such measures would encourage alternative transportation. These measures will reduce automobile usage and emissions in the operation of the Project. Proposed policies of the Air Quality Update (City of Fresno 2009) that promote emissions reductions through planning include:</p> <ul style="list-style-type: none"> a. incorporate multi-use activity centers and high intensity transportation corridor concepts; b. implementation of the City’s Urban Growth Management Program; c. promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes; d. implement mixed-use development guidelines that provide more pedestrian-oriented neighborhoods; e. require subdivision and other residential development designs which facilitate pedestrian access to bus stops and other transportation routes; f. maintain and improve transit related requirements for development including on-site bus parking; g. expand programs to reduce VMT, stop and go traffic and congestion through various strategies such as optimized signal timing, interconnected signals, computer based controls and traffic actuated signals; h. aid in completing the City’s network of alternative bicycle and pedestrian transportation routes i. provide for installation and maintenance of landscaping that promotes good air quality; j. support employer programs for staggered work week hours, telecommuting, worker incentives to use carpools and/or public transit; k. continue efforts to improve Fresno Area express bus technical 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
<p>Impact AQ-2. The Project would 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.</p>	<p>Potentially Significant</p>	<p>performance, emission levels and system operations;</p> <p>l. evaluate and pursue long-range transportation measures such as express bus, light rail, mass transit corridors, HOV lanes and the acquisition, by the City, of land to be used for bus turning and parking areas; and</p> <p>m. installation of bike lanes, paths, and trails.</p> <p>Mitigation Measure MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development.</p> <ul style="list-style-type: none"> • Implement Mitigation Measure AQ-1 to the extent they are applicable. • Conform with 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable. • Design Projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable. 	<p>Significant and Unavoidable</p>
<p>Impact AQ-3. The Project would contribute to greenhouse gas emissions resulting in global climate change.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure MM AQ-3. Use of Adopted GHG Protocols, Standards, and Thresholds of Significance. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving developments. All projects shall comply with the requirements of the SJVAPCD, as they may be amended in the future, for GHG reductions.</p> <p>Mitigation Measure MM AQ-4. Recommended GHG Emissions Reductions Achieved through AB 32 Scoping Plan, Title 24 Standards, and Local Measures.</p> <p>GHG Emission Reductions from the AB 32 Scoping Plan</p> <p>CARB is the lead agency for implementing AB 32. CARB has met several milestones towards achieving the State’s goals: 1) develop a list of discrete early actions (California Air Resources Board 2007), 2) assemble an inventory of historic emissions (California Air Resources Board 2009c), 3) establish GHG emissions reporting requirements, and 4) set a 2020 emissions limit. In December of 2008, CARB released a</p>	<p>Significant and Unavoidable</p>

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>Scoping Plan (California Air Resources Board 2008b) outlining the state’s strategy to achieve the 2020 target. Development within the Project Area shall be consistent with the State’s strategy and that does not impede the state’s ability to achieve the goals set forth in AB 32. Several measures identified by the Scoping Plan will reduce GHG emissions within the Project Area without additional action from the City or the SJVAPCD. These measures are broadly grouped by targeted sector and discussed below.</p> <p><u>Transportation</u></p> <ul style="list-style-type: none"> • Adopted by the Legislature in 2002, AB 1493, known as the Pavley Standards, requires GHG emission reduction from passenger cars and light-duty trucks. In 2005, CARB submitted a request to the EPA under the CAA for a waiver to authorize implementation of regulations to implement AB 1493. Although EPA denied this waiver in 2007, in May of 2009 President Obama announced new national standards in line with those proposed by Pavley. CARB estimates that the Pavley Standards will result in a reduction of nearly 20% of GHGs associated with motor vehicle use statewide. The Scoping Plan also recommends additional strategies to reduce GHG emissions associated with passenger vehicles, including the Zero-Emission Vehicle Program and the Alternative and Renewable Fuel and Vehicle Technology Program. • Executive Order S-01-07 requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. • The Scoping Plan includes a target of 5 MMT CO₂e reductions per year for regional transportation, but also notes that targets for this sector will also be set by the SB 375 process, which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. • Additional measures identified in the Scoping Plan that would 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>reduce light-duty vehicle GHG emissions include implementation of a tire pressure program, imposition of tire tread standards, reduction of engine load via lower friction oil use, and requiring solar reflective automotive paint and window glazing.</p> <ul style="list-style-type: none"> • Retrofits to improve the fuel efficiency of heavy-duty trucks could include a requirement for devices that reduce aerodynamic drag and rolling resistance. Hybridization of medium- and heavy-duty vehicles would increase fuel economy. 	
		<p><u>Electricity and Natural Gas</u></p>	
		<ul style="list-style-type: none"> • Set new targets for statewide annual energy demand reductions of 32,000 gigawatt hours from business as usual. This strategy requires increased utility energy efficiency programs, more stringent building and appliance standards, and additional efficiency and conservation programs. • Set a target of an additional 4,000 MW of installed combined heat and power capacity by 2020. Development of efficient combined heat and power systems would help displace the need to develop new, or expand existing, power plants. • In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy approval process and increase the state's renewable energy standard to 33% by 2020, meaning that a third of California's energy will be produced from renewable resources rather than fossil fuels. • As part of Governor Schwarzenegger's Million Solar Roofs Program, signed into law in 2006, California has set a goal of installing 3,000 MWs of new solar capacity by 2017. This renewable energy measure would reduce the amount of electricity required from centralized power plants, thereby reducing GHG emissions. 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p><u>Commercial and Residential</u></p> <ul style="list-style-type: none"> <li data-bbox="982 378 1661 435">• In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy. <li data-bbox="982 459 1661 605">• Set new targets for statewide commercial and residential energy consumption reductions of 800 million therms. This strategy requires utility efficiency programs, building and appliance standards, and additional efficiency and conservation programs. <li data-bbox="982 630 1661 743">• In 2007, the Legislature passed the Solar Hot Water and Efficiency Act, which authorized a 10-year, \$250 million incentive program for solar water heaters with a goal of promoting installation of 200,000 heaters by 2017. 	
		<p><u>Water</u></p> <ul style="list-style-type: none"> <li data-bbox="982 816 1661 1027">• A number of measures intended to decrease water use are included in the Scoping Plan. These measures include increasing water efficiency, water recycling, water system energy efficiency, and renewable energy production. These measures will result in indirect GHG reductions through reduced energy requirements and, therefore, overlap with the reductions outlined in the electricity and natural gas sector. 	
		<p><u>Recycling and Waste Management</u></p> <ul style="list-style-type: none"> <li data-bbox="982 1096 1661 1421">• Reduce methane emissions from municipal solid waste landfills by requiring gas collection and control systems on landfills where these systems are not currently required and will establish statewide performance standards to maximize methane capture efficiencies. Additionally, as part of this process, CARB and CIWMB staff will explore opportunities to increase energy recovery from landfill methane gas. In April 2008, the CIWMB released a report prepared by SCS Engineers entitled "Technologies and Management Options for Reducing Greenhouse Gas Emissions from Landfills." This report sets out a variety of BMPs from which landfill 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>operators can choose in order to reduce the methane emissions associated with their operations, and provides a process by which to implement these measures.</p> <ul style="list-style-type: none"> Reduce GHGs by reducing the energy use associated with the acquisition of raw materials in the manufacturing stage of a product's life-cycle. 	
		<p><u>High Global Warming Potential Measures</u></p>	
		<ul style="list-style-type: none"> Reduces GHG emissions associated with high global warming potential (GWP) materials in consumer products. High GWP chemicals are commonly used in consumer products, including refrigerators and air conditioners. 	
		<p><u>Green Buildings</u></p>	
		<ul style="list-style-type: none"> Comprehensive approach to reducing direct and upstream GHG emissions that cross-cuts multiple sectors, including electricity and natural gas, water, recycling and waste, and transportation. In July 2008, the California Building Standards Commission adopted the Green Building Standards Code for all new construction in the state. Initially, these measures are voluntary, but a mandatory code is planned to become applicable in 2011. A total of 26 MMTCO_{2e} in GHG emission reductions is estimated to occur under this program, which includes both new construction and building retrofits. 	
		<p>GHG Emissions Reductions from the 2009 Title 24 Standards</p>	
		<p>The 2009 Building Energy Efficiency Standards for residential and nonresidential buildings will become effective on August 1, 2009. Implemented through changes to Title 24, the 2009 Title 24 Standards include requiring cool roof compliance and changes to lighting standards. The 2009 Title 24 Standards are expected to result in reductions of approximately one ton per household per year of CO_{2e}. (California Energy Commission 2008.)</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>GHG Emissions Reductions Achieved Through Local Measures</p> <p>SJVAPCD has published air quality guidelines for general plans, which include goals, policies, and programs designed to improve air quality by implementation of design features that reduce vehicle trips and miles traveled. Design features that reduce criteria pollutant emissions also reduce GHG emissions through a reduction in VMT. Design guidelines set forth by the SJVAPCD to reduce VMT shall be strongly encouraged within the Project Area. The Lead Agency would strongly encourage the incorporation of all feasible measures, policies, and procedures that reduce GHG emissions from future development within the Project Area.</p> <p>Many of the measures and policies set forth in the Fresno General Plan that aim to reduce criteria pollutant emissions (listed above in Mitigation Measure MM AQ-1) also reduce GHGs. Additionally, the following measures as listed in the Draft Air Quality Update to the General Plan (City of Fresno 2009) shall be pursued, where feasible:</p> <ul style="list-style-type: none"> • Encourage development proponents to offset or mitigate emissions by removing older, less efficient and higher emitting vehicles from service. • Control and reduce air pollution emissions from City operations and facilities. • Development of renewable energy projects and programs. • In cooperation with other jurisdictions and agencies in the SJVAB take steps to reduce GHG emissions. • Conduct a GHG inventory. • Develop a policy for emission credits generated through City facilities, programs, and policies. • Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to City jurisdiction. 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<ul style="list-style-type: none"> • Consider strengthening City standards for purchasing low polluting and climate friendly goods and services. • Prioritize energy and water conservation through various measures. • Maintain current levels of achievement for recycling and reuse. • Make transportation services more efficient. • Continue to enhance landscaping consistent with energy and water conservation principles. 	
<p>Future development within the Project Area will be consistent with the City’s, SJVAPCD’s, and other regional goals and policies set forth aimed at reducing GHG emissions in the region. Because this is a highly dynamic area of policy, many of the policies and regulations will develop over the lifetime of the Project. Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant shall be required to achieve consistency with the most current guidance and plans in accordance with this mitigation measure and then-current laws and regulations.</p>			

CULTURAL RESOURCES

<p>Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.</p>	<p>Potentially Significant</p>	<p>MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the South Van Ness, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas. <i>The City shall conduct a Historic Building Survey of the South Van Ness Industrial Redevelopment Project Area. [1998 EIR MM 3.15-5] The City shall conduct a Historic Building Survey of all pre-1965 resources and an Archaeological Survey of the South Van Ness Constituent Project Area (South Van Ness Survey). The City shall also conduct a Historic Building Survey and an Archaeological Survey of the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys). The Fulton Corridor Surveys shall augment previous surveys completed by</i></p>	<p>Significant and Unavoidable</p>
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Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>the City of Fresno Planning and Development Department and will be coordinated by staff of the Downtown and Community Revitalization Department in consultation with the City’s Historic Preservation staff, as part of the Fulton Corridor Specific Plan. These surveys shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table 3B-1) and in accordance with <u>National Register Bulletin 24, Guidelines for Local Surveys: A Basis for Preservation Planning</u>. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior’s Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with the City of Fresno Planning and Development Department’s protocols as a Certified Local Government for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history; see Table 3B-2 below). Such work shall be coordinated and reviewed by the City of Fresno Historic Preservation staff and the City of Fresno Historic Preservation Commission (HPC).</p>	
		<p><u>Survey Criteria</u></p>	
		<p>The surveys (i.e., South Van Ness Survey and Fulton Corridor Surveys) shall evaluate resources by applying the following national, state, and local criteria:</p>	
		<ul style="list-style-type: none"> • National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4); • California Register of Historical Resources (14 CCR Section 4852.); and • City of Fresno Historic Resources Designation Criteria (FMC 13-406). 	
		<p><u>Research Design</u></p>	
		<p>Before the first survey is completed, a Research Design shall be developed by the City and submitted to the City of Fresno Historic Preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the Research Design examines current</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The Research Design may simply refer to a previously published design if it is applicable and reasonably current. The City shall ensure that HPC’s comments are incorporated into the Research Design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly.</p> <p><u>Survey Report and HPC Review</u></p> <p><i>The City shall consider and implement the recommendations of the Survey to the extent feasible. [1998 EIR MM 3.15-5]</i> The City shall provide draft survey reports to the City of Fresno Historic Preservation staff and the HPC for review and comment. Comments shall address the adequacy of each survey’s results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the Research Design. Based on the HPC comments received, the City may revise a survey report accordingly, may conduct additional research, and may conduct additional survey. The City shall provide the final survey reports to the City of Fresno Historic Preservation staff and the HPC for review and final approval.</p> <p><u>Timeframe</u></p> <p>The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012.</p> <p>Table 3B-1. OHP Standards for Intensive-Level Surveys</p> <div style="border: 1px solid black; padding: 5px;"> <p>Information about how to conduct and report survey activities can be found in <u>National Register Bulletin 24</u> (National Park Service 1985), the <u>Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation</u> (National Park Service 1983), and <u>California Historic Resources Survey Workbook</u> (Office of Historic Preservation 1986). Appendix 6 [in relevant part below] summarizes the fundamental topics that the Secretary</p> </div>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <u>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</u> (Office of Historic Preservation 1989):</p> <p>“A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information:</p> <ol style="list-style-type: none"> 1. A clear statement of the purpose of the survey. 2. A definition of the survey area (with map of areas examined). 3. A research design that examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current. 4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above). 5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources.” 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>“Intensive surveys go beyond the systematic identification and description of historical resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain:</p> <ol style="list-style-type: none"> 6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate). 7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional.” 	
		<p>Source: Office of Historic Preservation 1995.</p>	

Table 3B-2. Professional Qualifications Standards

<p>The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.</p> <p>History</p> <p>The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:</p> <ol style="list-style-type: none"> 1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional
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Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>activity with an academic institution, historic organization or agency, museum, or other professional institution; or</p> <p>2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.</p> <p>Archaeology (including Historic Archaeology)</p> <p>The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:</p> <ol style="list-style-type: none"> 1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management; 2. At least four months of supervised field and analytic experience in general North American archeology, and 3. Demonstrated ability to carry research to completion. <p>In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.</p> <p>Architectural History</p> <p>The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:</p> <ol style="list-style-type: none"> 1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>organization or agency, museum, or other professional institution; or</p> <p>2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.</p> <p>Source: Secretary of the Interior’s Professional Qualifications Standards (As Amended and Annotated) (36 CFR Part 61)</p>	

MM CR-2. Survey Protocol for Future Development Projects. For the purposes of this mitigation measure, “Development Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or a development agreement with the City, Agency, or other public agency. A Development Project includes, but is not limited to, clearing or grading of land, improvement to existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. “Development Project site” is defined as the footprint of the Development Project, which includes all grading areas required for the construction of structures, utility improvements, and road improvements necessary for the Development Project. The “Development Project study area” is defined using the Area of Potential Effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>different for different kinds of effects caused by the undertaking.” The Development Project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The Development Project study area is defined as the Area of Direct Impact (ADI) for historic archaeology. The ADI is limited to the exact location of the Development Project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations).</p> <p>The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the surveys described in Mitigation Measures CR-1 are completed.</p> <p>The following survey protocol shall be implemented for surveyed and unsurveyed areas in the Project Area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Section 5020-5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each Development Project.</p> <p><u>Historic Buildings Survey Protocol</u></p> <p>Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant shall retain the appropriate preservation consultant to conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior’s Professional Qualifications for History or Architectural History (see Table 3B-2) and be approved by the City’s Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows:</p> <ol style="list-style-type: none"> 1. <i>Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age. [1998 EIR MM 3.15-5] The 45-year age criterion in this SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50-year age criterion. Survey work shall be conducted per the</i> 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a Development Project to obtain all necessary approvals and entitlements while ensuring that all 50-year-old structures within a Development Project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed Development Project study area—including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture—on State of California DPR Primary and Building, Structure and Object forms (DPR 523 A and B) and/or Primary and District Record forms (DPR 523 A and D), following guidelines published in the California Office of Historic Preservation’s handbook, Instructions for Recording Historical Resources (1995). If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation.</p>	
		<p>2. <i>Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City’s Local Register. [1998 EIR MM 3.15-5]</i> The consultant shall evaluate the significance and integrity of all resources of the Development Project study area for eligibility for listing on the National Register, the California Register, and the City’s Local Register. If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation.</p>	
		<p>3. Submit a draft copy of the intensive-level historic resources survey for each Development Project to City of Fresno Historic Preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>accordingly and the assessment shall be finalized. The requirements for an intensive-level survey to OHP standards are found in Table 3B-1.</p>	
		<p>4. <i>Should a property be determined eligible for listing on the City's Official List, the procedures under this Mitigation Measure ... shall apply as follows: Should a Development Project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to Development Project approval the City and/or the Redevelopment Agency shall demonstrate that it has reasonably explored and considered alternatives to the Development Project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure. [1998 EIR MM 3.15-5] The term "listed historic structure" is hereby defined to also include historical resources identified as significant in a case-by-case survey. Section 15064.5(a)(2) of the CEQA Guidelines states "historical resources," "identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant."</i></p> <p>5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant Development Project effects to designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the CEQA guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City's Historic Preservation staff.</p> <p>6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of Development Project impacts, and proposed mitigation of potential impacts on resources within the Development Project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City of Fresno's Planning and Development Department for</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>review and approval.</p> <p>Upon completion of an intensive-level historic resources survey for a Development Project, Lead Agency staff or the City of Fresno Historic Preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the Local Register or a potential historic resource within the meaning of PRC, Section 21084.1 and CEQA Guidelines Section 15064.5.</p> <p><i>Notice and Orders issued for violation of the Housing Code, Dangerous Building Ordinance, and Exterior Building Maintenance Ordinance, as related to properties 45 years of age and older, shall be made available to the City’s Historic Preservation staff and their Historic Preservation Commission for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances. [1998 EIR MM 3.15-5] The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion.</i></p> <p><u>Historic Archaeological Site Evaluation Protocol</u></p> <p><i>Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Development Department shall be notified. The developer shall consult with a qualified archeologist and the Archaeological Inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin. [1998 EIR MM 3.15-1]</i></p> <p>Prior to the approval and issuance of Development Project-related entitlement, the Development Project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior’s Professional Qualifications for Archaeology (Historic) and</p>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		<p>shall be approved by the City’s Historic Preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether or not there are sub-surface historic archaeological deposits that pre-date the buildings within the Development Project site or that there is the potential to yield sub-surface historic archaeological deposits in the Development Project study area. This work will entail the following tasks:</p> <ol style="list-style-type: none"> a. Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archeological significance. Resource materials will include but are not limited to Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits. b. In order to effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI. c. Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct onsite archaeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching; limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI. d. The City, based on the results and evaluation of the subsurface investigation and archaeologist’s professional judgment, in consultation with the City’s Historic Preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the CEQA Guidelines. If there are, the City will further consult to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted. e. A technical resources report documenting the inventory process, 	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		identification of resources, evaluation of Development Project impacts, and proposed mitigation of resources within the Development Project site shall be prepared by the archaeologist. A final hard copy and a CD with an electronic file in PDF format of the report shall be submitted to the City of Fresno’s Planning and Development Department for review and approval.	

HYDROLOGY AND WATER QUALITY

<p>Impact WQ-1. The Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.</p>	<p>Potentially Significant</p>	<p>MM UTIL-1. Site Plan Review Trigger. In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City’s Special Permit review process, set forth in Fresno Municipal Code, section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City’s Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.</p>	<p>Less Than Significant</p>
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NOISE

<p>Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of</p>	<p>Potentially Significant</p>	<p>MM-NOI-1. Adhere to Noise Element Mitigation Requirements. In accordance with the Noise Element, all future development that included stationary noise sources would be required to conduct an acoustical study, and to install noise controls so exterior and interior</p>	<p>Significant and Unavoidable</p>
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Impact	Level of Significance	Mitigation Measure	Residual Impact
other agencies.		<p>noise levels at nearby noise-sensitive property to achieve the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available:</p> <ul style="list-style-type: none"> • purchase of low-noise equipment, • installation of noise silencers on mechanical equipment, • use of site structures to provide natural shielding, and • installation of noise barriers. <p>In accordance with the Noise Element, all future development in the Project Area where the forecast future exterior noise levels exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study, and provide noise control measures to reduce indoor and outdoor noise levels to the appropriate allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The Noise Element describes a wide range of additional noise abatement measures that can be considered:</p> <ul style="list-style-type: none"> • Site planning, to maximize the distance between sensitive receptors and local noise sources. • Placing non-sensitive land uses (e.g., parking lots) to provide a buffer zone. • Orienting outdoor use areas (e.g., balconies) on the sides of buildings away from noise sources. • Arranging site buildings to shield noise sensitive areas within the facility. • Constructing sound barrier walls along freeways and heavily traveled arterials, if feasible based on local site conditions. • Installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes. 	
Impact NOI-2. The Project would result in a	Potentially	Implement Mitigation Measure MM NOI-1.	Significant and

Impact	Level of Significance	Mitigation Measure	Residual Impact
substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant		Unavoidable
Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.	Potentially Significant	Implement Mitigation Measure MM NOI-1.	Significant and Unavoidable
Impact NOI-4. The Project would be located within two miles of a public airport or public use airport and would not expose people residing and working in the Project Area to excessive noise levels.	Less Than Significant	No Mitigation Required.	Less Than Significant
UTILITIES AND SERVICE SYSTEMS			
Impact UTIL-1. The Project could require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities (including sewer capital improvements) for reasons that were not known and could not have been known at the time of certification of the 1998 EIR, the construction of which may cause significant environmental effects.	Less Than Significant	No Mitigation Required.	Less Than Significant
Impact UTIL-2. The Project could have insufficient water supplies available to serve the Project from existing entitlements and resources.	Potentially Significant	MM UTIL-1. Site Plan Review Trigger. In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City's Special Permit review process, set forth in Fresno Municipal Code, section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City's Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the	Less Than Significant

Impact	Level of Significance	Mitigation Measure	Residual Impact
<p>Impact UTIL-3. The Project could result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments.</p>	<p>Potentially Significant</p>	<p>development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have “special conditions” due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.</p> <p>Implement Mitigation Measure MM UTIL-1.</p>	<p>Less Than Significant</p>

Table ES-2. Comparison of the Proposed Project and its Alternative

Environmental Issue Area	Proposed Project Impact	No-Project Alternative Impact ³
AIR QUALITY		
Impact AQ-1. The Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.	Significant and Unavoidable	Similar Impact
Impact AQ-2. The Project would 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.	Significant and Unavoidable	Similar Impact
Impact AQ-3. The Project would contribute to greenhouse gas emissions resulting in global climate change.	Significant and Unavoidable	Similar Impact
CULTURAL RESOURCES		
Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.	Significant and Unavoidable	Greater Impact
HYDROLOGY AND WATER QUALITY		
Impact WQ-1. The Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	Less Than Significant with Mitigation	Similar Impact
NOISE		
Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Significant and Unavoidable	Similar Impact
Impact NOI-2. The Project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant and Unavoidable	Similar Impact
Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant and Unavoidable	Similar Impact
Impact NOI-4. The Project would be located within two miles of a public airport or public use airport and would not expose people residing and working in the Project Area to excessive noise levels.	Less Than Significant	Similar Impact

³This is in comparison to the significance level of the Proposed Project.

Environmental Issue Area	Proposed Project Impact	No-Project Alternative Impact ³
UTILITIES AND SERVICE SYSTEMS		
Impact UTIL-1. The Project could require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities (including sewer capital improvements) for reasons that were not known and could not have been known at the time of certification of the 1998 EIR, the construction of which may cause significant environmental effects.	Less Than Significant	Similar Impact
Impact UTIL-2. The Project could have insufficient water supplies available to serve the Project from existing entitlements and resources.	Less Than Significant with Mitigation	Similar Impact
Impact UTIL-3. The Project could result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.	Less Than Significant with Mitigation	Similar Impact

Chapter 1

Introduction and Overview

Chapter 1

Introduction and Overview

Purpose of This Draft Subsequent Environmental Impact Report

This Draft Subsequent Environmental Impact Report (Draft SEIR) was prepared to evaluate the potential environmental impacts associated with the Fresno Merger No. 1 Redevelopment Plan Amendments Project (Project). This report also identifies mitigation measures and alternatives to the Project that may reduce or eliminate significant impacts. This Draft SEIR has been prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

CEQA was enacted in 1970 by the California legislature to involve the public in the planning process and disclose the significant environmental impacts of proposed activities and the ways to avoid or reduce those impacts by requiring implementation of feasible alternatives or mitigation measures. All discretionary projects within the State of California are required to undergo environmental review in accordance with CEQA to determine whether the project would result in any environmental impacts. A project requires environmental review pursuant to CEQA if the whole of its action has the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. More specifically, a project requires environmental review if, as in the case of the Project, it incorporates a decision-making action undertaken by a public agency; is an activity that is supported in whole or in part through public agency contracts, grants, subsidies, etc.; or is an activity requiring a public agency to issue a lease, permit, license, certificate, or other entitlement.

Given the above requirements of CEQA, the Redevelopment Agency of the City of Fresno (Agency) and City of Fresno (City) are required to conduct an environmental review of the Project and consider its potential environmental impacts before making a decision on the Project. In accordance with CEQA, the Agency and City are the co-lead agencies (collectively, Lead Agency) for the preparation of this Draft SEIR, and the Lead Agency will be taking primary responsibility for conducting the environmental review and certifying this Draft SEIR.

Justification for the Preparation of a Subsequent EIR

The Notice of Preparation (NOP) attached to the Initial Study (IS) (see Appendix A) provides notice that the Agency will be preparing the SEIR for the Project based on the Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009, June 1998 (1998 EIR) (Redevelopment Agency of the City of Fresno 1998). Section 15168 of the State CEQA Guidelines provides that projects that are within the scope of a certified Program EIR are to be considered pursuant to Section 15162 of the guidelines. Section 15162 of the State CEQA Guidelines states that an SEIR will be prepared when any of the following situations exist, based on substantial evidence in light of the whole record:

- a. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 1. Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 2. Substantial changes will occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents declined to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents declined to adopt the mitigation measure or alternative.

Consistent with State CEQA Guidelines Section 15162, the SEIR to be prepared for this Project will be based on the 1998 EIR. The SEIR will analyze the changes to the Project, as set forth in the 1998 EIR, to determine whether they will lead to new or more severe significant effects relative to the effects disclosed in the 1998 EIR. It will also examine whether changes to the circumstances under which the Project is undertaken since certification of the 1998 EIR will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Since adoption of the 1998 EIR, there are new regulations, local standards, and statutes in effect as well as new circumstances, which have resulted in new information.

- New information is now available about greenhouse gas (GHG) emissions that will be considered. Since certification of the 1998 EIR, Assembly Bill 32 of 2006 and Senate Bill 97 of 2007 have been enacted, requiring public agencies to consider the direct and indirect environmental effects of GHG emissions from their projects and mitigate significant GHG impacts to the extent feasible.
- The Project may result in new and more severe impacts that lead to a cumulatively considerable net increase in any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.
- There are possible historic districts and additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources. There are also potential archaeological resources that were not listed in the 1998 EIR.
- There appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR.
- The City's Urban Water Management Plan was updated in 2008.
- The City recently adopted a Sewer System Management Plan, which was not considered in the 1998 EIR.

The SEIR will determine whether the Project will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects as a result of these new laws, regulations, and standards.

Upon its release for public review and comment, the Draft SEIR will be given the same notice as is required of all EIRs. When the time comes to consider approving the Project, the Lead Agency will consider the SEIR and make a finding for each significant effect identified in the SEIR.

Scope of This Draft SEIR

This Draft SEIR addresses the potential environmental impacts of the Project, the scope for which is based on the results of an IS that was prepared in accordance with the CEQA checklist as well as input from the public and affected agencies. The scope of the Draft SEIR was established using all of the tools required and recommended by CEQA.

An NOP was prepared and distributed, along with a copy of the IS, to responsible and affected agencies and other interested parties for a 30-day public review period, in accordance with Section 15063 of the State CEQA Guidelines. The public review period for the NOP began on July 16, 2009, and ended on August 17, 2009. The NOP and IS were also posted in the Fresno County Clerk's office for 30 days and sent to the State Clearinghouse at the Governor's Office of Planning and Research to solicit statewide agency participation in determining the scope of this Draft SEIR. During the 30-day public review period, written comment letters were received regarding the Project. A copy of the NOP and IS are included in Appendix A, and bracketed comments received during the review period are included in Appendix C.

Given the findings of the IS/NOP, a determination was made that an SEIR would be required to address certain potentially significant environmental impacts of the Project. Environmental issues that were determined to have a less-than-significant impact or no impact do not require further evaluation and, therefore, are not discussed in this Draft SEIR. The issues for which the Project was found to have no impacts or less-than-significant impacts, as well as the reasons for the determination of significance, are provided in the IS/NOP in Appendix A.

Potentially significant impacts were identified during the scoping process. Therefore, potential areas of controversy are addressed in this Draft SEIR for the following:

- Air Quality,
- Cultural Resources,
- Hydrology and Water Quality,
- Noise, and
- Utilities and Service Systems.

Chapter 3 of this Draft SEIR is divided into sections for each of the issues listed above and includes a detailed discussion of the associated impacts. Mitigation measures to reduce impacts to a less-than-significant level, if feasible, are identified when significant impacts have the potential to occur.

Required Draft SEIR Contents

In addition to the environmental issues identified above, this Draft SEIR includes all of the sections required by CEQA. Table 1-1 contains a list of sections required under CEQA, along with a reference to the chapter in which they can be found in this document.

Table 1-1. Required SEIR Contents

Requirement/CEQA Section	Location in This Draft SEIR
Table of contents (Section 15122)	Table of Contents
Summary (Section 15123)	Executive Summary
Project description (Section 15124)	Chapter 2
Significant environmental impacts (Section 15126.2)	Sections 3A–3E
Environmental setting (Section 15125)	Sections 3A–3E
Mitigation measures (Section 15126.4)	Sections 3A–3E
Cumulative impacts (Section 15130)	Chapter 4
Alternatives to the project (Section 15126.6)	Chapter 5
Growth-inducing impacts (Section 15126.2)	Chapter 6
Effects found not to be significant (Section 15128)	Chapter 1, Sections 3A–3E, Appendix A
Unavoidable significant environmental impacts (Section 15126.2)	Sections 3A–3E
Organizations and persons consulted (Section 15129)	Chapter 8
List of preparers (Section 15129)	Chapter 9

Organization of This Draft SEIR

The content and organization of this Draft SEIR are designed to meet the current requirements of the CEQA Statutes and the State CEQA Guidelines. The Draft SEIR is organized as described below.

Executive Summary presents a summary of the Project and alternatives, potential impacts and mitigation measures, and impact conclusions regarding growth inducement and cumulative impacts.

Chapter 1, Introduction and Overview, describes the purpose and provides an overview of the EIR process and the scope of this Draft SEIR. It also outlines required EIR contents and the organization of this Draft SEIR.

Chapter 2, Project Description and Environmental Setting, describes details of the Project, the Project location, and the Lead Agency's objectives for the Project.

Chapter 3, Environmental Analysis, describes existing conditions for each environmental issue before Project implementation as well as the methods and assumptions used in the impact analysis, the regulatory setting, criteria for determining significance, impacts that would result from the Project, and applicable mitigation measures that would eliminate or reduce significant impacts.

Chapter 4, Cumulative Impact Analysis, evaluates the environmental impacts of combined recent past, present, or reasonably foreseeable future projects in the area that have the potential to contribute to cumulative impacts. This chapter also discusses the Project's contribution to cumulative conditions and determines whether that contribution would be "cumulatively" considerable.

Chapter 5, Alternatives Analysis, evaluates the environmental impacts of Project alternatives, including the No-Project Alternative. It also identifies the environmentally superior Project alternative.

Chapter 6, Growth-Inducing Impacts, includes a discussion of direct and indirect growth-inducing impacts that could be caused by the Project.

Chapter 7, Significant Irreversible Changes, includes a discussion of significant adverse irreversible commitments of resources caused by the Project.

Chapter 8, References, identifies the documents (printed references) and individuals (personal communications) consulted during preparation of this Draft SEIR. This chapter lists the agencies and people consulted to ascertain information regarding the environmental conditions and impact analysis.

Chapter 9, List of Preparers, lists the individuals involved in preparing this Draft SEIR.

Chapter 10, Acronyms and Abbreviations, lists all acronyms and abbreviations mentioned throughout the Draft SEIR, with corresponding definitions.

Appendices provide information and technical studies that support the environmental analysis contained within this document. The following technical appendices are included:

- Appendix A, Notice of Preparation/Initial Study;
- Appendix B, Preliminary Report for the Amendments to the Merger No. 1;
- Appendix C, Bracketed NOP/IS Comment Letters; and

- Appendix D, City of Fresno Municipal Code Sections 6-304, 6-305, 6-337, 12-405, and 12-406.

Citations in This Draft SEIR

In accordance with State CEQA Guidelines Section 15148, this Draft SEIR cites applicable analyses that are current and valid. The complete source cited may be found in Chapter 8, References.

Intended Uses of This Draft SEIR

The Draft SEIR will be used by the Project Area Committee for Chinatown Expanded Redevelopment Plan, City Housing and Community Development Commission, City Planning Commission, City Redevelopment Agency, and City Council when considering approval of the Project described above.

Availability of This Draft SEIR

The Draft SEIR for the Project is being circulated to the public and agencies for review and comment. One of the primary objectives of CEQA is to enhance public participation in the planning process and gather input regarding the important environmental issues to be analyzed in the EIR. Therefore, public involvement is considered an essential feature of CEQA, and community members are encouraged to participate in the environmental review process.

A 45-day review period has been established in accordance with Section 15087 of the State CEQA Guidelines. During the 45-day public review period, which began on February 2, 2010, and which will end on March 19, 2010, the Draft SEIR will be available for general public review at:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Library
2420 Mariposa Street
Fresno, CA 93721.

Supporting documents not included in the Draft SEIR are available for general public review at the Redevelopment Agency of the City of Fresno, 2344 Tulare Street, Suite 200, Fresno, CA 93721. The Draft SEIR will also be available for general public review on the Agency's web site: <http://fresnorda.com>. Interested parties may provide written comments on the Draft SEIR, which must be postmarked by March 19, 2010. Please address comments to:

Redevelopment Agency of the City of Fresno
Attention: David Martin
2344 Tulare Street, Suite 200
Fresno, CA 93721
Fax: (559) 498-1870

Upon completion of the 45-day public review period, written responses to all comments regarding environmental issues discussed in the Draft SEIR will be prepared and incorporated into the Final SEIR. The Final SEIR will be presented to the City's Planning Commission and Housing and Community Development Division for a recommendation to the Redevelopment Agency Board and City Council. The presentation to the Planning Commission will be at a scheduled public hearing. After receiving a recommendation, the Final SEIR will be sent to the Redevelopment Agency Board and City Council pursuant to CEQA and Redevelopment Law requirements in a joint meeting, for certification of the Final SEIR and making a decision on the Project.

Written responses to comments received from any state agencies will be made available to these agencies at least 10 days before the City Council meeting at which the certification of the Final SEIR will be considered. These comments, and their responses, will be included in the Final SEIR for consideration by the Agency and City as well as any other decision makers.

Project Contacts and Draft SEIR Preparation

This Draft SEIR has been prepared by ICF Jones & Stokes as an independent contractor to the Lead Agency. Preparers of this Draft SEIR are provided in Chapter 9, List of Preparers.

Key contacts are as follows:

Lead Agency: Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Contact: David Martin

EIR Consultant: ICF Jones & Stokes
5558 California Avenue, Suite 310
Bakersfield, CA 93309
Contact: Steven Esselman

Chapter 2

Project Description and Environmental Setting

Chapter 2

Project Description and Environmental Setting

Introduction

This chapter describes in detail the Project, the Project location and existing conditions, and the Project objectives. This chapter also provides a list of the agencies from which approval is required.

Changes to the Project Description

After a review of comments by the City of Fresno’s Historic Preservation Commission and other public comments received during the 30-day public scoping period for the IS/NOP, the Lead Agency has revised the previous IS/NOP project description as outlined below. Both revisions relate to the mitigation measures being proposed in conjunction with the Project.

- The Lead Agency has decided to retain Mitigation Measure 3.15-5 (including interim measures), which requires conducting a “historic building survey” of the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) rather than replacing this mitigation measure. In addition to performing an intensive-level historic building survey of the South Van Ness Industrial Constituent Project Area, the Lead Agency is also proposing to perform intensive-level historic building surveys of the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys). The Lead Agency is also proposing Phase I archaeological surveys of these Constituent Project Areas concurrently with the historic building surveys.
- The Lead Agency has developed a survey protocol in conformance with the California Public Resources Code, Sections 5020–5029.5, and the National Historic Preservation Act (NHPA) that public and private applicants must follow to consider cultural resources issues adequately. Applicants will use the survey protocol to build upon the historic and archaeological context developed in performing the South Van Ness Survey and Fulton Corridor Surveys, if applicable.

Please see Section 3B, Cultural Resources, for more information regarding additional proposed mitigation. The City will take the lead in preparing the South Van Ness Survey and Fulton Corridor Surveys and will require applicants, whether public or private, to follow the survey protocol for individual development projects as a condition of development project approval.

Project Details

The Project consists of proposed amendments to nine redevelopment plans. The Project encompasses separate Constituent Project Areas, described below, each of which has its own Constituent Redevelopment Plan.¹ The nine Constituent Project Areas are as follows:

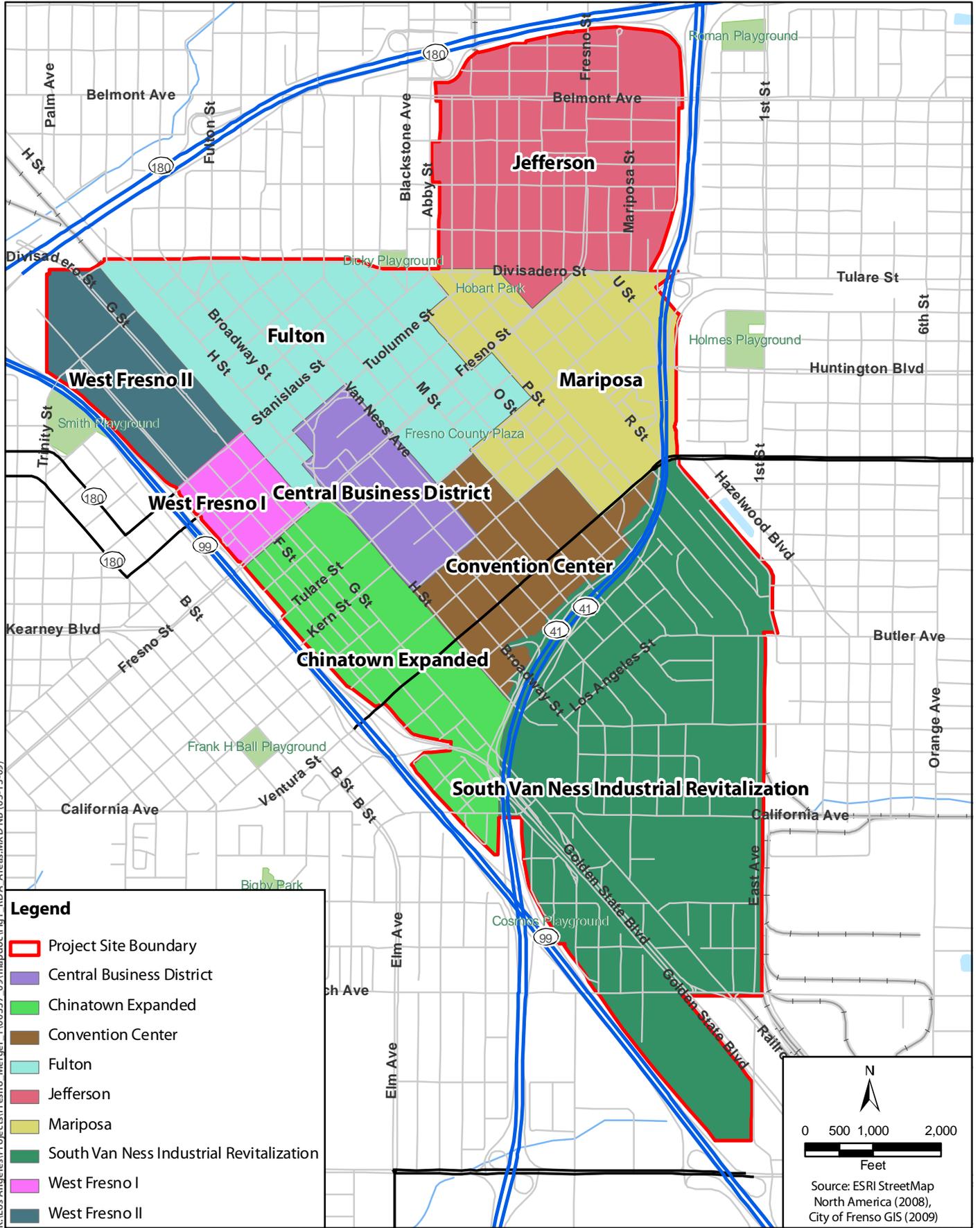
- Mariposa,
- Central Business District,
- Convention Center,
- Jefferson,
- Chinatown Expanded,
- West Fresno I,
- West Fresno II,
- Fulton, and
- South Van Ness Industrial.

The separate Constituent Project Areas are collectively referred to as the Project Area. Figure 2-1 shows the boundaries of each Constituent Project Area. The Project Area is the total area of these nine separate Constituent Project Areas. The Project would 1) extend the Agency's ability to acquire property within the Project Area through use of eminent domain, 2) streamline the Constituent Redevelopment Plans to ensure consistency with the 2025 City of Fresno General Plan (General Plan) and future General Plan updates and other specific or community plans, and 3) amend specific time and financial limits for the Constituent Project Areas, as described below. The Project also includes updating mitigation measures previously adopted in conjunction with the 1998 EIR.

Specifically, the Project consists of the amendments listed below.

- Increase the tax increment limits for the Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, and West Fresno II Constituent Redevelopment Plans.

¹ Each Constituent Project Area, as well as its associated Constituent Redevelopment Plan, is called a Constituent Plan in the *Preliminary Report for the Amendments to the Merger No. 1* (Preliminary Report) (Keyser Marston Associates, Inc. 2008), attached hereto as Appendix B.



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**Figure 2-1
Fresno Merger No. 1 Redevelopment Plan Amendments Project Area**

- Increase the time limit on the effectiveness of the Constituent Redevelopment Plans for all the Constituent Project Areas, except Fulton and South Van Ness Industrial.
- Increase the Agency's time limit to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Redevelopment Plans.
- Increase the time limits to receive tax increments and repay bonded indebtedness for all of the Constituent Redevelopment Plans, except for Fulton and South Van Ness Industrial Constituent Project Areas.
- Increase the time limit on the Agency's authority to use eminent domain in all of the Constituent Project Areas; however, the Agency would not have the authority to acquire, by use of eminent domain, any property on which persons lawfully reside in five of the Constituent Project Areas. These five Constituent Project Areas are 1) Central Business District, 2) Fulton, 3) Jefferson, 4) Mariposa, and 5) South Van Ness Industrial (see Table 2-1 for more information). In the Chinatown Expanded Constituent Project Area, the ability to acquire property by use of eminent domain would be extended to include all properties within the Project Area. In the Convention Center, Jefferson, and Mariposa Constituent Project Areas, the ability to acquire properties by use of eminent domain would also be limited to specific properties. These specific properties are shown in the Preliminary Report (Keyser Marston Associates, Inc. 2008).
- Amend the language found within the Constituent Redevelopment Plans for the Central Business District, Jefferson, Mariposa, West Fresno I, and West Fresno II, Fulton, and South Van Ness Industrial Constituent Project Areas to ensure that the Constituent Redevelopment Plans are consistent with the current General Plan and future General Plan updates and any applicable specific or community plans because the plans may be amended from time to time.
- Augment existing 1998 EIR cultural resources mitigation by:
 - Retaining Mitigation Measure 3.15-5 from the 1998 EIR and adding clarifying language that states the existing mitigation would require the City to complete intensive-level historic building surveys for the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) to California Office of Historic Preservation (OHP) standards (as described in Instructions for Recording Historic Resources, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these Constituent Project Areas concurrently with the intensive-level historic building surveys. The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012.
 - Requiring that applicants follow a survey protocol to be applied within the Project Area for historic resources during the discretionary approval phase of a proposed development. Similar to certified language for Mitigation Measure 3.15-5 in the 1998 EIR, this approach would apply

while the South Van Ness Survey and Fulton Corridor Surveys are completed to allow the continued processing and approval of proposed Development Projects.

Please see Section 3B, Cultural Resources, for more information regarding additional proposed mitigation.

The time and debt limits to be extended and/or increased are shown in Table 2-1, which describes the existing terms of the redevelopment plans and identifies the changes that would be made by the Project.

Table 2-1. Existing and Proposed Constituent Project Area Time and Financial Limits

Constituent Project Area	Subject	Existing Limit	Proposed Limit
Mariposa – 210 acres (adopted 1969)	Expiration Date	1/14/12	1/14/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/14/22	1/14/32
	Eminent Domain Time Limit	8/6/10	+12 years ^{2,3}
	Tax Increment Limit	\$50M	\$150M
	Bond Debt Limit	NA	NA
Central Business District – 86 acres (amended 1963)	Expiration Date	1/1/12	1/1/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years ^{2,4}
	Tax Increment Limit	\$16M	\$128M
	Bond Debt Limit	NA	NA
Convention Center – 130 acres (adopted 1982)	Expiration Date	1/12/25	1/12/35
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/13/35	1/12/45
	Eminent Domain Limit	8/6/10	+12 years ^{2,3}
		11/24/17 ⁶	No change
	Tax Increment Limit	\$51M	\$357M
	Bond Debt Limit	\$21M	No change
Jefferson – 277 acres (adopted 1984)	Expiration Date	12/18/27	12/18/37
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	12/18/37	12/18/47

Constituent Project Area	Subject	Existing Limit	Proposed Limit
Chinatown Expanded – 180 acres (amended 1986)	Eminent Domain Limit	1/18/09	+12 years ^{2,4}
	Tax Increment Limit	\$235M	\$470M
	Bond Debt Limit	\$99M	No change
	Expiration Date – Original	1/1/12	1/1/22
	Expiration Date – Expanded	1/28/28	1/28/38
	Debt Establishment Limit – Original	Eliminated ¹	NA
	Debt Establishment Limit – Expanded	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment – Original	1/1/22	1/1/32
	Limit to Receive Tax Increment/Debt Repayment – Expanded	1/28/38	1/28/48
	Eminent Domain Limit – Original	8/6/10	+12 years
	Eminent Domain Limit – Expanded	8/6/10	+12 years
	Tax Increment Limit – Original and Expanded	\$32M	\$128M
West Fresno I – 46 acres (adopted 1963)	Bond Debt Limit – Original	NA	NA
	Bond Debt Limit – Expanded	\$16M	No change
	Expiration Date	1/1/12	1/1/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years
	Tax Increment Limit	\$9M	\$27M
West Fresno II – 107 acres (adopted 1963)	Bond Debt Limit	NA	NA
	Expiration Date	1/1/12	1/1/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	01/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years
	Tax Increment Limit	\$60M	\$120M
	Bond Debt Limit	NA	NA

Constituent Project Area	Subject	Existing Limit	Proposed Limit
Fulton – 273 acres (adopted 1998)	Expiration Date	7/6/29	No change
	Debt Establishment Limit	7/6/18	7/6/28
	Limit to Receive Tax Increment/Debt Repayment	7/6/44	No change
	Eminent Domain Limit	8/6/10	+12 years ⁴
	Tax Increment Limit	Not required ⁷	NA
	Bond Debt Limit	\$32M	No change
South Van Ness Industrial – 594 acres (adopted 1998)	Expiration Date	7/6/29	No change
	Debt Establishment Limit	7/6/18	7/6/28
	Limit to Receive Tax Increment/Debt Repayment	7/6/44	No change
	Eminent Domain Limit	8/6/10	+12 years ⁴
	Tax Increment Limit	Not required ⁷	NA
	Bond Debt Limit	\$111M	No change

Source: Keyser Marston Associates, Inc. 2008.

NA = Not Applicable

¹ “Eliminate” is a term used in California Redevelopment Law (CRL) (CRL Section 33333.6(c)(2)(B)) that allows the city council to amend redevelopment plans originally adopted before January 1, 1994, to eliminate the deadline on establishment of loans, advances, and indebtedness for the project areas that qualify for this type of action. Council Ordinance 2008-47 amended all of the Constituent Redevelopment Plans except Fulton and South Van Ness Industrial to eliminate this requirement.

² New time limit will be 12 years from effective date of ordinance adopting the amendment.

³ Applicable to specific properties only. Legally occupied housing units will not be subject to acquisition by eminent domain.

⁴ Legally occupied housing units will not be subject to acquisition by eminent domain in the entire Constituent Project Area. See Proposed Acquisition Map in Appendix B for more details.

⁵ Twelve-year extension for specific properties only. See Proposed Acquisition Map in Appendix B for more details.

⁶ Applicable to specific properties where the 12-year extension was adopted in 2005. See Proposed Acquisition Map in Appendix B for more details.

⁷ Prior to January 1, 1994, CRL Section 33333.2(1) required that redevelopment plans contain “a limitation on the number of dollars of taxes that may be divided and allocated to the redevelopment agency pursuant to the plan. Taxes shall not be divided and allocated to the redevelopment agency beyond that limit.” This is commonly referred to as a Tax Increment Limit. Major changes to the redevelopment process were adopted in 1993 (Assembly Bill 1290, Chapter 942 of the Statutes of 1993), which included numerous changes to the requirements for new redevelopment plans. The requirement for a Tax Increment Limit was eliminated for new project areas adopted or added after January 1, 1994. Therefore, the Fulton and South Van Ness Industrial Constituent Project Areas, adopted in 1998, are not required to contain this provision, while the older Constituent Project Areas do contain the provision.

Project Location and Existing Conditions

The Project Area is within the City's central urban core and is surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. Figure 2-2 shows the current General Plan land use designations within the Project Area. Figure 2-3 shows the current City zoning designations within the Project Area.

Existing General Plan and Zoning

General Plan Designations

The following General Plan land use designations can be found within the Project Area (see Figure 2-2):

- Commercial,
- Commercial/Mixed-Use Level 1 (Central Area),
- Commercial/Mixed-Use Level 2 (Central Area),
- Freeway,
- Industrial/Heavy,
- Industrial/Light,
- Open Space,
- Public Facility,
- Railroad, and
- Residential (Central Area).

Zoning Designations

The following City zoning designations can be found within the Project Area (see Figure 2-3):

- Single-Family Residential District (R-1),
- Low-Density Multiple-Family Residential District (R-2),
- Low-Density Multiple-Family Residential-Agricultural District (R-2-A),
- Medium-Density Multiple-Family Residential District (R-3),
- High-Density Multiple-Family Residential District (R-4),
- Central Trading District (C-4),
- General Commercial District (C-5),

- Heavy Commercial District (C-6),
- Civic Center District (CC),
- Commercial and Light Manufacturing District (C-M),
- Administrative and Professional Office District (C-P),
- Light Manufacturing District (M-1),
- General Manufacturing District (M-2),
- Heavy Industrial District (M-3),
- Open Conservation District (O), and
- Off-Street Parking District (P).

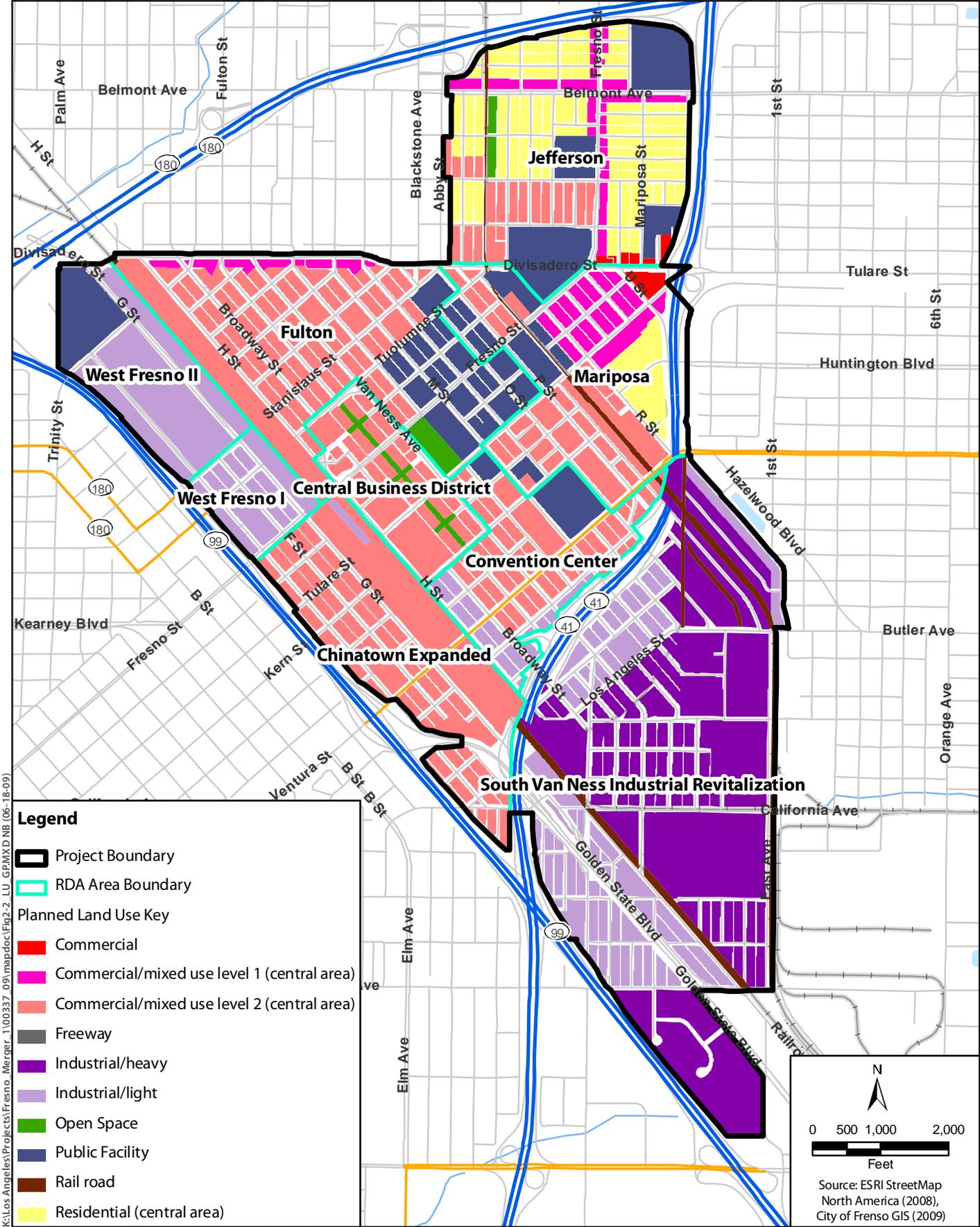
Project Objectives

As described in the 1998 EIR and summarized in the Preliminary Report, the Agency has the following existing objectives for redevelopment activities within the Project Area:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area;
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and facilitate economic activity;
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, thereby encouraging the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area;
- The expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households; and
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the Project Area adversely.

The primary objective of the Project is to allow the Agency to continue to implement a comprehensive economic development strategy to alleviate blight² in the Project Area. The provisions of California Redevelopment Law (Health and Safety Code Section 33000, et seq.) relative to tax increment limits, the time limits on the effectiveness of a redevelopment plan, and the use of eminent domain require the Agency to take the actions described above to continue effective redevelopment activities within the Project Area. The updated

² As defined by Health and Safety Code, Section 33030 (effective January 1, 2008).



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Figure 2-2
General Plan Land Use Designations

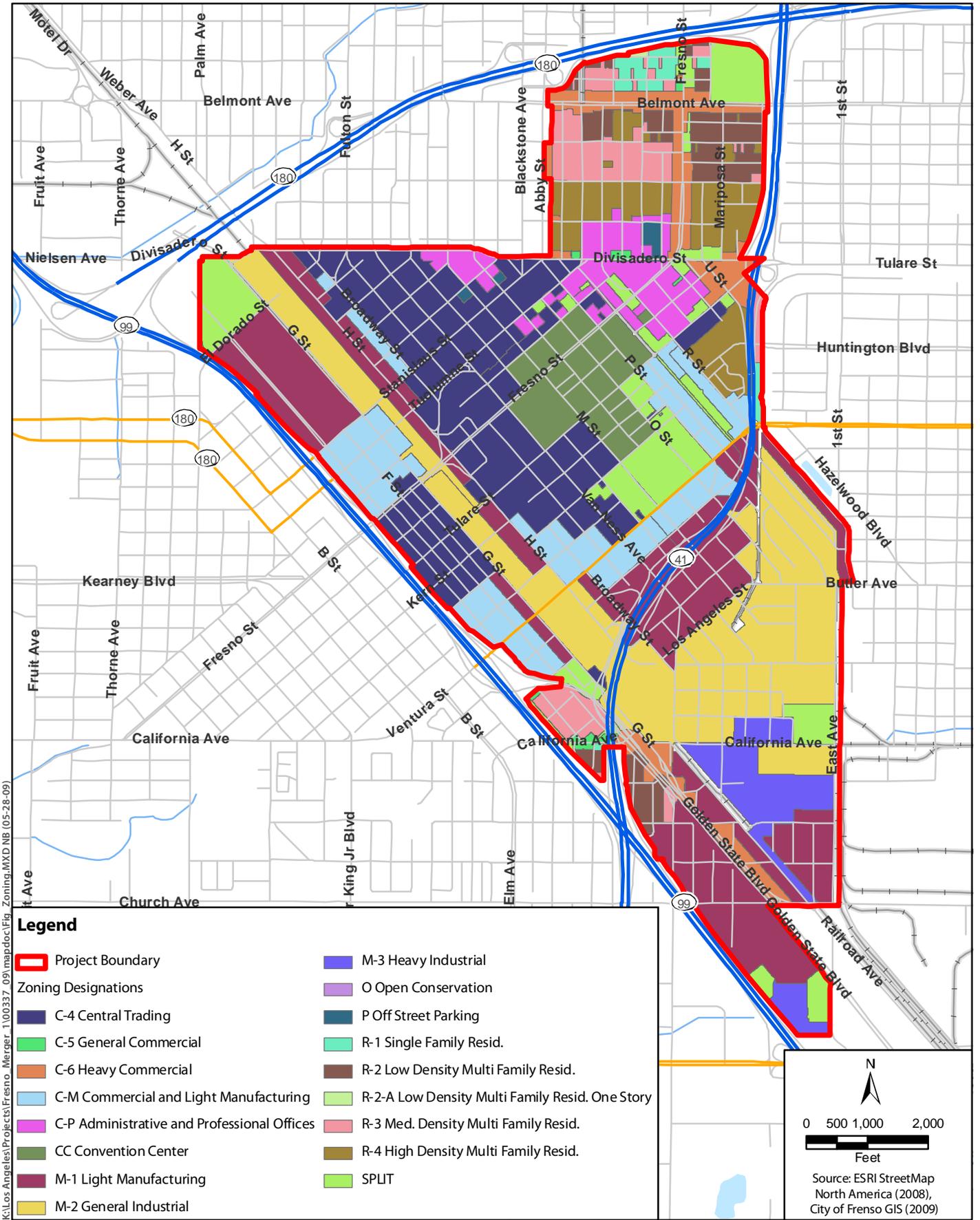


Figure 2-3
City Zoning Designations

mitigation measures proposed would also allow the Agency to undertake activities while providing more effective consideration and protection of historic resources.

Agencies Whose Approval Is Required

- Project Area Committee for the Chinatown Expanded Redevelopment Plan—recommend adoption of amendments related to the Chinatown Expanded Redevelopment Plan.
- City Housing and Community Development Commission—recommend adoption of amendments, SEIR, and Mitigation Monitoring and Reporting Program (MMRP) to city council.
- City Planning Commission—recommend adoption of amendments, SEIR, and MMRP to city council.
- Agency Board—adopt amendments, SEIR, and MMRP.
- City Council—adopt amendments, SEIR, and MMRP.

Each Constituent Project Area, as well as its associated Constituent Redevelopment Plan, is called a Constituent Plan in the *Preliminary Report for the Amendments to the Merger No. 1* (Preliminary Report) (Keyser Marston Associates, Inc. 2008), attached hereto as Appendix B.

Chapter 3

Environmental Analysis

Chapter 3

Environmental Analysis

Introduction

This chapter examines the environmental setting, impacts, and mitigation measures associated with the Project. The chapter is divided into sections for respective environmental factors (e.g., air quality and cultural resources) that were determined to need further study as part of the scoping process for this Draft SEIR.

The scope of the environmental analysis was determined using the IS/NOP that was published in July 2009, giving consideration to the public and agency comments received during the 30-day public scoping period. Environmental factors to be discussed in this Draft SEIR and their corresponding sections are as follows:

- Section 3A, Air Quality;
- Section 3B, Cultural Resources;
- Section 3C, Hydrology and Water Quality;
- Section 3D, Noise; and
- Section 3E, Utilities and Service Systems.

Sections 3A through 3E provide a detailed discussion of the environmental setting, the impacts associated with the Project, and the mitigation measures, which are designed to reduce significant impacts where required and when feasible for each environmental factor.

As presented in the IS/NOP prepared for the Project in July 2009, some or all of the specific issues under each of the environmental factors presented in the CEQA checklist (see Appendix G of the State CEQA Guidelines) were determined to not be significantly affected by implementation of the Project and, therefore, have been eliminated from further discussion. These issues are summarized in Table 3-1 below and addressed in detail in the IS/NOP (see Appendix A).

Table 3-1. Issues Determined in the Initial Study to Not Be Significantly Affected by Project Implementation

Issues	Initial Study Determination
AESTHETICS	
<p>Would the Project have a substantial adverse impact on a scenic vista, substantially damage scenic resources within a state scenic highway, substantially degrade existing character or quality of the site and its surroundings, or create a new source of substantial light or glare?</p>	<p>The Project Area does not contain scenic vistas and is not adjacent to or near any designated or eligible state scenic highways. The Project would enhance the existing visual character of the Project Area by continuing the elimination of blight and, therefore, would not degrade the existing character or quality of the site and its surroundings. Future light generated by the Project would be typical of urban development and designed in accordance with existing development standards; it would not result in a new or more severe impact than that previously disclosed in the 1998 EIR.</p>
AGRICULTURAL RESOURCES	
<p>Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; affect lands covered by a Williamson Contract; or involve other changes that could result in conversion of farmland to non-agricultural use?</p>	<p>The project is located in downtown Fresno. No portion of the Project Area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program or under a Williamson Act contract.</p>
AIR QUALITY	
<p>Would the Project conflict with or obstruct implementation of the applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial amount of people?</p>	<p>The Project was included in the General Plan analysis. Therefore, the Project has been addressed within the context of the current General Plan and, consequently, considered under the current Air Quality Attainment Plan. As part of the Project, future development must be consistent with the current General Plan and future updates. As a result, the Project would not conflict with or obstruct implementation of the applicable air quality plan.</p> <p>Sensitive receptors, which are addressed by the General Plan, are found within the Project Area. The 1998 EIR acknowledged that future development would result in air quality impacts that could affect sensitive receptors. Also, as part of the Project, future development would have to be consistent with future updates. Therefore, the Project would not result in a new or more severe impact than that previously disclosed in the 1998 EIR.</p> <p>Odors that would be generated by the Project in the future are considered common in urban areas. Such odors were found in the Project Area in 1998 when the 1998 EIR was certified. The 1998 EIR concluded that uses that generate or use odorous compounds would be permitted only through a conditional use process; this process has not changed since 1998. Therefore, the Project would not result in a new or more severe impact than that previously disclosed in the 1998 EIR.</p>

Issues	Initial Study Determination
BIOLOGICAL RESOURCES	
<p>Would the Project have a substantial adverse effect on any species identified as candidate, sensitive, or special-status; have a substantial adverse effect on any riparian habitat or other sensitive natural community; have a substantial adverse effect on any federally protected wetlands; interfere substantially with wildlife or fish movement or impede the use of native wildlife nursery sites; conflict with local biological resources policies or ordinances; or conflict with an approved local, regional, or state habitat or natural community conservation plan?</p>	<p>The 1998 EIR determined that the Project Area does not contain suitable habitat, hydrology, or other critical resources for any listed species. The Project Area is not crossed by any surface water body, and there are no natural communities that are tracked by the California Natural Diversity Database within the Project Area. Therefore, the Project would not affect riparian habitat or other sensitive natural communities. A search of the National Wetlands Inventory determined that there are no wetlands within the Project Area. Surrounding urban development severs wildlife movement within the Project Area from open areas outside the City. The 1998 EIR requires future development not to conflict with local biological resources, policies, or ordinances; this situation has not changed since 1998. No adopted local, regional, or state habitat or natural community conservation plan is applicable to the Project Area.</p>
CULTURAL RESOURCES	
<p>Would the Project cause a substantial adverse change in the significance of an archaeological resource, destroy a unique paleontological resource or unique geologic feature, or disturb any human remains?</p>	<p>The Project Area does not contain any unique geologic features. Mitigation Measure 3.15-1 also adequately mitigates for the disturbance of previously unknown human remains, if found. No substantive changes have occurred since certification of the 1998 EIR.</p>
GEOLOGY AND SOILS	
<p>Would the Project expose people or structures to substantial adverse effects involving fault rupture, strong seismic ground shaking, seismic-related ground failure, or landslides; result in substantial soil erosion or loss of topsoil; be located on an unstable geologic unit or a unit that could become unstable; be located on expansive soil; or have soils that would be incapable of adequately supporting septic tanks or alternative wastewater disposal systems?</p>	<p>The Project Area does not contain any earthquake fault zones as defined by the Alquist-Priolo Act. Structures built as a result of the Project would have to conform with the Uniform Building Code and California Building Code, which would require adherence to modern earthquake standards. Future development would also be required to implement soil treatment measures as described in a preliminary soils report to mitigate for possible seismic-related ground failure, unstable soil, and expansive soil impacts. The flat topography of the Project Area precludes landslide impacts. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Obtainment of a National Pollutant Discharge Elimination System (NPDES) General Construction Permit and development of a Stormwater Pollution Prevention Plan (SWPPP) would reduce construction-related erosion impacts to a less-than-significant level. Required landscaping and stormwater conveyance structures, with increased impervious surfaces as a result of future development, would result in less-than-significant operational impacts. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future development would not use septic tanks or</p>

Issues	Initial Study Determination
	<p>alternative wastewater disposal systems but, rather, would be connected to and served by the existing sewer system. No substantive changes have occurred since certification of the 1998 EIR.</p>

HAZARDS AND HAZARDOUS MATERIAL

Would the Project create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials or reasonable foreseeable upset and accident conditions involving the release of hazardous materials; emit hazardous emissions or involve handling hazardous substances within 0.25 mile of an existing or proposed school; be located on a site that is listed pursuant to Government Code Section 65962.5; be located within an airport land use area, within 2 miles of a public use airport, or within the vicinity of a private airstrip and result in a safety hazard; impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; or expose people or structures to significant risk involving wildland fires?

Hazardous substances typically used for construction, such as paints, solvents, cleaners, fuels, and grease, would be transported and used for future development, but compliance with the Government Code and California Health and Safety Code would be required during construction. Future residential and commercial operations could result in the transport, use, and disposal of hazardous substances but would require compliance with applicable codes and regulation. Industrial areas in the South Van Ness Constituent Project Area would be required to obtain a Conditional Use Permit (CUP), which would place conditions upon such development to maintain public health and safety and be required to comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous substances. No substantive changes have occurred since certification of the 1998 EIR.

Future development would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, which could place conditions on future development to minimize the risk of accidental hazardous substance release or explosion. Additionally, any future development that has a reasonable possibility of releasing hazardous materials into the environment would have to develop a business response plan and, if necessary, a Risk Management and Prevention Program. No substantive changes have occurred since certification of the 1998 EIR.

There are a number of schools within the Project Area, and additional schools may be developed in the area. Therefore, future development may be within 0.25 mile of a school. However, future development would have to comply with applicable codes and regulations; adhere to conditions of a CUP, if necessary; or develop a business response plan and, if necessary, a Risk Management and Prevention Program. With proper implementation of necessary plans and programs, future development would not affect schools. No substantive changes have occurred since certification of the 1998 EIR.

A number of Cortese List sites (pursuant to Government Code Section 65962.5) are located within the Project Area. Remediation of these sites is governed by the Department of Toxic Substance Control, and future development would also be required to comply with

Issues	Initial Study Determination
	<p>conditions, if required, subsequent to Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review. Future development may also use the U.S. Environmental Protection Agency’s (EPA’s) “brownfield” grants program. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>An approximately 45-acre portion of the Project Area is located within an airport plan area. Given the modest size of the Fresno-Chandler Downtown Airport, the fact that the Project Area is not located in proximity to the airport, and the requirement for future development to comply with the airport plan, future development would not result in building heights that could affect landings and takeoffs or conditions that would expose people to undue hazards. The Project Area is not within the vicinity of a private airstrip. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future construction could cause temporary detours and lane closures, but it is the City’s standard practice to coordinate with emergency service providers. Encroachment permits would be required within City rights-of-way. Future development would also be required to comply with applicable emergency response and evacuation plans. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>The Project Area is surrounded by existing urban development and is not located adjacent to a wildland area. Periodic weed abatement efforts are also required in the Project Area. Therefore, wildland fires do not have the potential to affect the Project Area.</p>

HYDROLOGY AND WATER QUALITY

<p>Would the Project violate any water quality standards or waste discharge requirements; substantially alter drainage patterns in a manner that would result in erosion, siltation, or flooding; create or contribute to runoff water that would exceed the capacity of the existing or planned stormwater drainage system or provide substantial additional sources of polluted runoff; otherwise substantially degrade water quality; place housing or structures within a 100-year flood hazard area that could impede or redirect floodflows; expose people or structures to a significant risk involving flooding; or contribute to inundation by seiche, tsunami, or mudflow?</p>	<p>Future construction that disturbs at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) would have to obtain coverage under the NPDES General Construction Permit and prepare a SWPPP. The 1998 EIR concluded that stormwater drainage facilities in the Project Area are sized to convey stormwater flows for current development adequately. Future development must comply with the NPDES permit (No. CA0083500) and Waste Discharge Requirements (Order No. 5-01-048) for stormwater conveyance flows, which are more protective than the 1998 standards and met through compliance with applicable grading and drainage standards to be approved by the City. Several classes of industrial uses would also be required to obtain additional NPDES permits to ensure water quality standards are reached. No substantive changes have occurred since certification of the 1998 EIR.</p>
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Issues	Initial Study Determination
	<p>Portions of the Project Area are within a 100-year flood hazard area, according to Flood Insurance Rate Map data, but these areas are entirely within industrial use areas. Therefore, they would not affect residential land uses. Structures placed within the 100-year flood hazard area would have to be elevated above flood levels per City requirements, and concrete conveyance structures would be required to reduce flows that could exceed the capacity of the stormwater drainage system. The Project Area is not within a dam failure inundation area and is not located near any significant enclosed body of water or coastal area that could be susceptible to seiche or tsunami. The Project Area is not located at the foot of any topographical feature with the potential for mudflow.</p>
LAND USE AND PLANNING	
<p>Could the Project physically divide an established community; conflict with any applicable land use plan, policy, or regulation; or conflict with any applicable habitat conservation plan or natural community conservation plan?</p>	<p>Future development within the Project Area would be urban infill and, therefore, would not have the capacity to divide an established community. The Project would revise language found within the separate Constituent Redevelopment Plans to ensure that the respective land use plans are consistent with the most current General Plan and any applicable specific or community plans. There are no applicable habitat conservation plans or natural community conservation plans for the Project Area.</p>
MINERAL RESOURCES	
<p>Would the Project result in the loss of known mineral resources or result in the loss of availability of a locally important mineral resource recovery site?</p>	<p>The 1998 EIR and General Plan do not show any mineral resource land use designations within the Project Area. No portion of the Project Area is designated in any applicable plan as a locally important mineral resource recovery site. No substantive changes have occurred since certification of the 1998 EIR.</p>
NOISE	
<p>Would the Project expose persons to or generate excessive ground-borne vibration or ground-borne noise levels or be located within the vicinity of a private airstrip and expose people residing or working in the Project Area to excessive noise levels?</p>	<p>The 1998 EIR requires that future development within the Project Area adhere to City standards, which include locating vibration-generating uses away from sensitive receptors. The Project Area is not located within the vicinity of a private airstrip. No substantive changes have occurred since certification of the 1998 EIR.</p>
POPULATION AND HOUSING	
<p>Would the Project induce substantial population growth in an area or displace existing housing or people, necessitating the construction of replacement housing elsewhere?</p>	<p>The 1998 EIR concludes that future development would be required to be consistent with adopted population forecasts to accommodate Fresno’s fair share of the regional growth forecast. Additionally, the Project would not result in the extension of infrastructure that would facilitate urban development in nonurban areas. No substantive changes have occurred since certification of the 1998 EIR.</p>

Issues	Initial Study Determination
	<p>In accordance with CRL and Agency procedure, displaced low- and moderate-income housing must be replaced on a one-to-one basis within the Project Area. Displaced people, resulting from future actions by the Agency, are entitled to just compensation and relocation assistance in accordance with CRL and Agency procedure. Additionally, California Administrative Code requires that a relocation plan be prepared to mitigate the effects of redevelopment activities related to displaced residents.</p>
<p>PUBLIC SERVICES</p>	
<p>Would the Project result in substantial adverse physical impacts associated with the construction of governmental facilities that could cause significant environmental impacts to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, or other facilities?</p>	<p>The need for public services is primarily driven by population growth. The Project would not induce substantial population growth. Future development would generate an incremental increase in the need for some public services.</p> <p>The Project would not significantly affect fire protection because response times are currently adequate, and construction activities would have to adhere to current City fire regulations. The Project may require an onsite fire inspector (at a developer's expense) during completion of a shell structure. Future operations would be subject to the Citywide Fire Facilities Fee. Future structures would have to be built in compliance with modern fire code. Removal of blighted conditions as a result of the Project would reduce the fire safety threat in the Project Area. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Construction activities may result in theft, trespassing, and vandalism but would not affect police response times because these common crimes are routinely handled by the existing police force. Future development would be required to include security lighting, call boxes, and other security measures. The removal of blight is anticipated to reduce the current number of police calls to the Project Area. Future development would also be required to adhere to current and future General Plan policies and objectives designed to maintain acceptable service ratios and response times. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future residential development would increase the number of school-age children in the Project Area. Other types of development in the Project Area could indirectly generate school-age children in greater Fresno due to job opportunities that may bring in workers with children. All future development would be required to pay the affected school district's developer fees, and the Agency would assist affected schools with their planning for school service impacts. The Agency also must make mandatory payments to affected taxing entities, such as</p>

Issues	Initial Study Determination
	<p>schools, to offset lost tax revenue, in accordance with CRL. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Parks and recreational areas would need to be provided in the Project Area in accordance with the City’s Park Master Plan. No substantive changes have occurred since certification of the 1998 EIR.</p>

RECREATION

<p>Would the Project increase the use of existing neighborhood parks or other recreational facilities, including recreational facilities, or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?</p>	<p>By complying with the City’s Park Master Plan and collecting entrance fees and taxing future park development, impacts would not be new or more severe than in 1998. No substantive changes have occurred since certification of the 1998 EIR.</p>
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TRAFFIC AND TRANSPORTATION

<p>Would the project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system, exceed level-of-service standards, result in a change in air traffic patterns, result in inadequate emergency access or parking, or conflict with adopted policies, plans, or programs supporting alternative transportation?</p>	<p>Future development may entail abandonment and/or realignment of certain streets, alleys, or other rights-of-way but would have to comply with the current General Plan, as well as future updates, and the objectives of the applicable Constituent Redevelopment Plan(s), applicable community plans, other future adopted plans, and City design standards. Compliance with the Constituent Redevelopment Plans, coupled with implementing improvements in conformance with the current General Plan and applicable community plans and other future plans, and paid for by various funding mechanisms that are in place, would reduce long-term traffic impacts to a less-than-significant level. The 1998 EIR concludes that, with mitigation, cumulative impacts would be significant and unavoidable; cumulative impacts were disclosed in the 1998 EIR and have not changed. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>An approximately 45-acre portion of the Project Area is located within an airport plan area. Given the modest size of the Fresno-Chandler Downtown Airport, the fact that the Project Area is not located in proximity to the airport, and the requirement for future development to comply with the airport plan, future development would not result in building heights that could affect landings and takeoffs. The Project would also not appreciably increase population and result in a significant increase in air traffic levels. The Project would also not require the airport to change locations. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future development would be required to comply with Fresno Fire Department standards for adequate emergency access and would assist in removing currently inadequate access points. No substantive changes have occurred since certification of the 1998</p>
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Issues	Initial Study Determination
	<p>EIR.</p> <p>The 1998 EIR concluded that long-term traffic effects, including provisions for public parking, are less than significant. Future development would have to comply with requirements to provide adequate parking. Future development would be reviewed on a case-by-case basis for compliance with applicable requirements. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future development would have to comply with the current General Plan, as well as future updates, and the objectives of the applicable Constituent Redevelopment Plan(s), applicable community plans, other future adopted plans, and City design standards, including provisions for alternative transportation. No substantive changes have occurred since certification of the 1998 EIR.</p>
UTILITIES AND SERVICE SYSTEMS	
<p>Would the Project exceed wastewater treatment requirements; require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities; be served by a landfill with sufficient permitted capacity; or comply with federal, state, and local statutes and regulations related to solid waste?</p>	<p>Future development’s wastewater would be treated at the Fresno/Clovis Regional Water Reclamation Plant, which must comply with requirements that are more stringent than those placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>The Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, but this was contemplated in 1998. Additionally, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control District as well as NPDES permit requirements. No substantive changes have occurred since certification of the 1998 EIR.</p> <p>Future development would increase the amount of solid waste generated in the City, but this was determined to be insignificant in the 1998 EIR. Mitigation has been adopted under the current General Plan that requires adequate solid waste facilities for existing and planned development in the City. This was effectuated by the City’s Zero Waste Strategic Action Plan. The Project is required to comply with federal, state, and local statutes and regulations related to solid waste. No substantive changes have occurred since certification of the 1998 EIR.</p>

IS/NOP Comments

In accordance with the provision of Section 15082 of the State CEQA Guidelines, as amended, the Lead Agency circulated an NOP with an attached IS

to public agencies, special districts, and members of the public for a public review period beginning July 16, 2009, and ending August 17, 2009. The purpose of the NOP was to convey formally that the Lead Agency was soliciting input regarding the scope and content of the environmental information to be included in the SEIR. The NOP and all comment letters are provided in Appendix A and Appendix C, respectively, of this Draft SEIR and are a part of the administrative record. Table 3-2 summarizes the NOP comments received during the 30-day public review period. Consideration of the following comments is included in “Response to IS/NOP Comments,” below, and in Sections 3A through 3E.

Table 3-2. Summary of Notice of Preparation Comments Received During the Public Review Period

Commenter	Comment Summary
<p>Letter 1. Scott Morgan, Assistant Deputy Director and Senior Planner, State of California, Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit—letter (July 16, 2009)</p>	<p>Acknowledges that the State Clearinghouse received the IS/NOP package and has disseminated the IS/NOP to the reviewing agencies listed on the Notice of Completion (NOC) form.</p>
<p>Letter 2. Joanne Striebich, State of California, Department of Transportation, Office of Transportation Planning, District 6—letter (July 27, 2009)</p>	<p>Requests that the SEIR clarify that future development that produces 100 or more peak-hour trips will be required to prepare a traffic analysis to evaluate its contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to the future development in accordance with Mitigation Measure B-4 of the 2025 City of Fresno General Plan Master EIR.</p>
<p>Letter 3. Mitzi Molina, Engineer II, Fresno Metropolitan Flood Control District—letter (August 4, 2009)</p>	<p>Informs the Agency that the Project Area lies within district drainage areas RR, II₁, and FF and that temporary drainage service is available through existing facilities until permanent service becomes available. Asserts that storm drainage patterns must conform to the district’s master plan and that the district will need to review and approve all curb and gutter improvement plans, street plans, construction plans, and grading plans prior to implementation of future development. Also informs the Agency that future development within drainage areas RR and II₁ will be obligated to pay a “full cost” drainage fee, and it will be subject to an increased benefit assessment on the tax bill. Requests wording revisions to Section VIII, Hydrology and Water Quality, and Section XVI, Utilities and Service Systems.</p>
<p>Letter 4. David Warner, Director of Permit Services, and Arnaud Marjolle, Permit Services Manager, San Joaquin Valley Air Pollution Control District—letter (August 10, 2009)</p>	<p>Discusses mixed-use development as a an opportunity to benefit air quality and makes recommendations about what to include in preliminary and final environmental review of air quality for the Project, including a discussion of Project-related fugitive dust emissions, modeling assumptions, greenhouse gas (GHG) emissions, toxic air contaminants (TACs), a possible Health Risk Assessment (HRA), odors, existing regulations, and feasible mitigation. Asks for a determination of whether District Rule 9510 (Indirect Source Review) would be required, asks for emissions-reduction quantification through compliance with District Rule 9510, and recommends a demonstration of compliance with District Rule 9510 be made a condition of approval. Suggests that a Voluntary Emissions Reduction Agreement (VERA) can be a feasible mitigation option to mitigate air quality impacts. Discusses that the Project may require district permits. Recommends that a copy of the district’s comments be provided to the project proponent.</p>
<p>Letter 5. Jeanette Jurkovich—email (August 10, 2009)</p>	<p>Requests that the NOP be considered by the Historic Preservation Commission (HPC) because the Project</p>

Commenter	Comment Summary
	<p>Area “contains a very significant concentration of Fresno’s historic resources.” Clarifies that she is not a member of Heritage Fresno and that future notifications should go directly to her residence. Requests a comment deadline extension because of the length of the IS/NOP, and she feels that she needs to contact HPC to see if they can discuss the IS/NOP prior to the comment deadline. She also requests that the Agency contact her immediately if her request for an extension is granted. Reiterates that the Agency has not implemented “historic resource mitigation measures that were adopted over 10 years ago in the first Merger I EIR.” Ms. Jurkovich requests that the SEIR consider impacts associated with the unimplemented mitigation measures in the first Merger I EIR (i.e., 1998 EIR) as well as mitigation measures for the Armenian Town project because, according to her, the Armenian Town project’s historic resources mitigation has also not been implemented and occurred after certification of the 1998 EIR. Ms. Jurkovich requests that her email be included in the administrative record.</p>
<p>Letter 6. Jeanette Jurkovich—letter (August 13, 2009)</p>	<p>Requests that the Agency outline the specific course of action as it carries out its purposes with respect to Fresno’s historic resources in the Draft SEIR. Encourages the Agency to adopt goals and policies that are more consistent with state and City policies for historic preservation and states that the SEIR should identify new feasible mitigation that would lessen or avoid historic resources impacts. Provides her opinion about the value to historic buildings and the perception that is conveyed to outsiders about a city that revitalizes historic buildings. States that the Agency has incorrectly used the SEIR process in accordance with State CEQA Guidelines 15162 because the project is programmatic rather than project level in nature and also suggests that recirculation of the IS/NOP may be required as a result. Voices frustration that the Agency did not comply with CEQA for a previous mitigated negative declaration (MND) for the Project that was rescinded and believes that the current SEIR effort also does not comply with CEQA. States that the Agency must identify historic resources in the Project Area and recognize future activities that would result in significant impacts on historic resources to fulfill the intent of CEQA and the City’s policies for historic preservation. States that historic resource surveys are an effective tool in identifying historic resources and that the need for surveys is recognized by the City’s adopted public policy. In the commenter’s opinion, Mitigation Measure 3.15 is feasible, and the proposed replacement of this mitigation measure with new mitigation has eliminated the measure’s intended purpose of proactively indentifying historic resources and</p>

Commenter	Comment Summary
	<p>incorporating the results in long-term land use planning. Believes that the Agency’s approach to replace Mitigation Measure 3.15-1 with new mitigation to allow the identification of historic resources on a case-by-case basis is inconsistent with the General Plan, applicable community and specific plans, and CEQA. Requests a copy of the of the actual instrument that was prepared to allow the Agency to continue its discretionary actions within the Project Area on a case-by-case basis and as described on Page V-J2 of the 2025 City of Fresno General Plan Master EIR. Requests that the SEIR review other projects that have taken place in the Project Area and disclose the other historic resource mitigation measures that have not been implemented and that resulting unmitigated impacts be identified and disclosed in the SEIR. Raises concern that the IS/NOP indicates that the existence of the Chinatown tunnels has not been substantiated. States that the SEIR must include new feasible mitigation and project alternatives. Requests that the Draft SEIR analysis include “the alternative of allowing the various plan areas to emerge from the Merger I plan area as their time limits and eminent domain limits expire.” Requests that an alternative that considers the proposed time limits, coupled with the integration of proactive historic preservation policies and implementation measures as well as the planned application of tax increment funding toward mothballing and repair, be included in the SEIR. Requests that mitigation be created to include a survey of the entire Project Area along with the development of a preservation plan. States that the SEIR must comply with State CEQA Guidelines Section 15022(a). Requests that the mailing list be updated to include her name and correct address.</p>
<p>Letter 7. Bryan White, Planner, Development Services Division, County of Fresno—letter (August 14, 2009)</p>	<p>Voices county library’s opposition to the last phase of the Eaton Plaza renovations. Reiterates an outstanding request outlined in a previous letter from the county to the Agency regarding whether the Agency would consider reducing various aspects of the proposed amendments and notes that the IS/NOP may be based on an outdated Preliminary Report. Asks for the Agency to continue to advise the county on the progress of the Project.</p>
<p>Letter 8. Joe Moore—letter (August 15, 2009)</p>	<p>Concerned about eliminating Mitigation Measure 3.15-5 from the 1998 EIR and asks why it is no longer feasible in 2009. Asks for consideration of a Project Area-wide survey that identifies potentially eligible historic properties to increase possible eligibility for incentives. States that a case-by-case approach does not allow for consideration of historic districts. States that, while the complete extent of the underground Chinese tunnels and connected basements is not yet fully known, the existence of such archaeological resources is well</p>

Commenter	Comment Summary
<p>Letter 9. Moses Stites, Rail Corridor Safety Specialist, State of California Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossings Branch—letter (August 17, 2009)</p>	<p>documented and that mitigation should be developed to protect these tunnels.</p> <p>States that the IS/NOP fails to identify any potentially significant impacts on any of the at-grade railroad crossings within the Project Area. States that the Project would significantly add to cumulative traffic above baseline levels for the Project Area and that a traffic impact study needs to consider and address traffic safety issues at all at-grade railroad crossings (including queuing issues). States that Public Utilities Commission approval is required to modify existing or construct new highway rail crossings. Asks that the Agency forward the draft traffic impact study scope for the Project before the Agency commences the actual analysis to ensure that all at-grade railroad crossings are within the parameters of the study.</p>
<p>Letter 10. Leslie Forshey, Senior Fire Prevention Inspector, City of Fresno Fire Department—letter (August 17, 2009)</p>	<p>Points out a discrepancy about the City of Fresno Fire Department requiring a fire inspector to be on site until completion of the shell structure for large projects.</p>
<p>Letter 11. M. Scott Mansholt, Senior Environmental Project Management Specialist, Chevron Environmental Management Company—letter (August 24, 2007)</p>	<p>States that the purpose of the comment letter is to notify the stakeholders (City and Agency) as to the location of a former crude oil transportation pipeline within the Project Area and request that the pipeline location information be incorporated into the Draft SEIR. Summarizes evidence of historic releases associated with the former crude oil transportation pipeline, but a number of HRAs concluded that soil affected by the releases is non-hazardous and does not pose significant health risks. States that, currently, there are no known releases but requests that Chevron be informed of future development in the vicinity of the former pipeline. Asks that geographical information system (GIS) land use data be provided and that Chevron provide GIS data that illustrates the location of historic pipelines within the Project Area.</p>
<p>Letter 12. Karana Hattersley-Drayton, Historic Preservation Project Manager (for) Historic Preservation Commission, City of Fresno—letter (August 25, 2009)</p>	<p>Recommends that the South Van Ness Industrial Constituent Project Area historic survey language from the 1998 EIR be retained. Recommends against “project-by-project” historic surveys but strongly supports “comprehensive” surveys performed to state standards. Supports development of a historic survey protocol and a potential memorandum of understanding/memorandum of agreement (MOU/MOA) that would address standards, cost-sharing, and protocols. Stresses that archeology needs to be addressed in the SEIR and that an updated list of historic surveys be included within the SEIR as well as a list of potential historic districts as described in the surveys.</p>
<p>Letter 13. William Stretch, Civil Engineer, Fresno Irrigation District—letter (August 25, 2009)</p>	<p>States that the Fresno Irrigation District’s (FID’s) Braly No. 14 pipeline traverses the South Van Ness Industrial Constituent Project Area and may require upgrades and</p>

Commenter	Comment Summary
	<p>possible realignment to accommodate future development. States that the majority of the Project Area is located outside of the FID service area, and therefore, surface water is not allocated to a majority of the Project Area by FID. Further states that new regulations, standards, statutes, and information since 1998 has required the updating of the City’s Urban Water Management Plan (UWMP) in 2008, and FID believes that it is not clear whether the UWMP accounts for high water consumption by the Project. If not, then a balanced water supply by 2025 (as called for in the UWMP) would be more difficult to achieve; impacts must be evaluated according to FID. Commenter states that increased water consumption by the Project would either result in additional groundwater overdraft or shifting of water supplies to the Project Area from other areas, including FID areas, which would require other areas to be willing to use less water. Also expresses concern that projects like the Project would inhibit the City’s progress toward balancing water supplies by 2025, which is a stated goal in the UWMP. States that the SEIR should consider whether developers in the future should be responsible for increasing groundwater recharge capabilities in the Project Area and/or purchasing additional water supplies to offset the additional demand.</p>
<p>Source: Appendix A.</p>	

Response to IS/NOP Comments

The following are responses to IS/NOP comments received during the 30-day public scoping period. The numbering for each comment corresponds to bracketed comments contained in each letter. See Appendix C for the bracketed comment letters.

Letter 1—Scott Morgan, State Clearinghouse and Planning Unit

Response to Comment 1

Thank you for disseminating the IS/NOP to the applicable responsible agencies shown in the Notice of Completion.

Letter 2—Joanne Striebich, Department of Transportation

Response to Comment 1

The commenter requests clarification regarding future development that produces 100 or more peak-hour trips being required to prepare a traffic analysis to evaluate its contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to future development in accordance with Mitigation Measure B-4 of the 2025 City of Fresno General Plan Master EIR. The IS/NOP has been revised to incorporate this clarification. This revision does not change the significance determination in the IS/NOP. Please see page 51 of “Revisions to the IS/NOP Based on Comments,” below, for more information.

Letter 3—Mitzi Molina, Fresno Metropolitan Flood Control District

Response to Comment 1

The commenter states that the district requires that the storm drainage patterns conform to the district’s master plan and that the district would need to review and approve all improvement plans prior to implementation of improvements. The IS/NOP has been revised to incorporate this clarification. This revision does not change the significance determination in the IS/NOP. Please see page 58 of “Revisions to the IS/NOP Based on Comments,” below, for more information.

Response to Comment 2

The commenter states that future development in those portions of the Project Area that lie within district drainage areas RR and II₁ is obligated under ordinance to pay a “full cost” drainage fee and also subject to an increased benefit assessment on the future development’s annual property tax bill for completion of the drainage areas RR and II₁ system. The IS/NOP has been revised to incorporate these clarifications. This revision does not change the significance determination in the IS/NOP. Please see page 58 of “Revisions to the IS/NOP Based on Comments,” below, for more information.

Response to Comment 3

The commenter requests wording revisions for Section VIII, Hydrology and Water Quality of the IS/NOP. The IS/NOP has been revised to incorporate the

requested revisions. This revision does not change the significance determination in the IS/NOP. Please see page 35, page 36, and page 37 of “Revisions to the IS/NOP Based on Comments,” below, for more information.

Response to Comment 4

The commenter requests wording revisions for Section XVI, Utilities and Service Systems of the IS/NOP. The IS/NOP has been revised to incorporate the requested revisions. This revision does not change the significance determination in the IS/NOP. Please see “Revisions to the IS/NOP Based on Comments,” page 58, below, for more information.

Letter 4—David Warner and Arnaud Marjollet, San Joaquin Valley Air Pollution Control District

Response to Comment 1

The commenters state that mixed-use development provides an opportunity to benefit air quality but warn that locating incompatible uses adjacent to each other could expose sensitive receptors. They therefore recommend a TAC analysis for the Project.

The Project increases time and financial limits within the Project Area to assist the Lead Agency in continuing its efforts pertaining to blight reduction, amends language found within applicable Constituent Redevelopment Plans to be consistent with current General Plan and future General Plan updates and any applicable specific or community plans, and replaces certain mitigation measures adopted in the 1998 EIR with more updated and effective mitigation to consider potentially historic resources. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Mixed-use development could be a part of the future development within the project area, and if necessary, future development would have to conform to the San Joaquin Valley Air Pollution Control District’s (SJVAPCD’s) TAC regulation, including the development of an HRA if determined necessary for a future development. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and conform to SJVAPCD requirements as part of the analysis. A programmatic discussion of TACs, sensitive receptors, and the HRA process is included in Section 3A, Air Quality, of this Draft SEIR.

The Lead Agency is required to consider only substantial changes in the Project or its circumstances as well as substantial new information that were not known and could not have been known when the 1998 EIR was certified. State CEQA

Guidelines Section 15162 limits the need for the extensive analysis of conditions that have not changed.

Response to Comment 2

A description of the regulatory environment, the air quality conditions in 1998 when the 1998 EIR was certified, and the existing air quality conditions, including attainment status, is included in Section 3A, Air Quality, of this Draft SEIR.

Response to Comment 3

The commenters request that this Draft SEIR include a description of existing and short- and long-term post-project emissions, separated by stationary and mobile sources. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development facilitated by the Project would have to quantify existing and post-project emissions. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and conform to SJVAPCD requirements as part of the analysis, including quantification of emissions.

Because federal, state, and local air quality standards have become more stringent since 1998 and air quality may have become poorer in the Fresno area since that time as a result of increased stationary and mobile sources, the Lead Agency is including a programmatic discussion of changes in emissions in the Fresno area since 1998 and what might be the future conditions for the life of the Project. This discussion is included in Section 3A, Air Quality, of this Draft SEIR.

Response to Comment 4

A qualitative discussion of particulate matter less than 10 microns in diameter (PM10) and Regulation VIII as it pertains to future construction facilitated by the Project is included in Section 3A, Air Quality, of this Draft SEIR.

Response to Comment 5

The commenters request that a discussion of the methodology, model assumptions, inputs, and results be included in the analysis. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Therefore, no air quality model has been prepared for the Project. Future developments facilitated by the Project would have to prepare air quality modeling analyses as

part of their individual CEQA reviews to obtain necessary discretionary approval and conform to SJVAPCD modeling requirements as part of the analyses, including providing electronic input files for validation by SJVAPCD. As part of the required CEQA review process, future development may determine that all assumptions made during modeling have become feasible mitigation.

Response to Comment 6

Because a number of thresholds and standards related to severe attainment and extreme attainment capacities have become more stringent since the 1998 EIR was certified, a qualitative discussion about whether the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard is included in Section 3A, Air Quality.

Response to Comment 7

This Draft SEIR includes a discussion of the Project's potential to generate GHG emissions and will evaluate the potential impacts in the context of global warming as a cumulative impact. Please see Section 3A, Air Quality.

Response to Comment 8

Please see response to Comment 1, above.

Response to Comment 9

The IS/NOP (see Appendix A) determined that future development associated with implementation of the Project may generate detectable odors from future construction and operations but that construction odors are expected to be infrequent and of short duration. Also, they dissipate relatively quickly. Operational odors are common in urban areas and were found in the Project Area in 1998 when the 1998 EIR was certified. Additionally, the 1998 EIR concluded that uses that generate or use odorous compounds would be permitted only through a CUP, thereby addressing impacts from odorous compounds through the use of the CUP process. The CUP process has not changed since 1998. Therefore, the Project would not have a new or more severe effect pertaining to the creation of objectionable odors that would affect a substantial number of people.

The Lead Agency is required to consider only substantial changes in the Project or its circumstances as well as substantial new information that were not known and could not have been known when the 1998 EIR was certified. State CEQA

Guidelines Section 15162 limits the need for the extensive analysis of conditions that have not changed.

Response to Comment 10

A discussion of existing SJVAPCD regulations is included in Section 3A, Air Quality, of this Draft SEIR.

Response to Comment 11

The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development within the Project Area that is subject to District Rule 9510 would be required to conform to SJVAPCD's Indirect Source Rule, including the development of mitigation through design elements or payment of offsite mitigation fees, the use of Tier II construction equipment, and submittal and acceptance by SJVAPCD of an Air Impact Assessment (AIA). Future development would also consider entering into a VERA as a condition of approval. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and conform to SJVAPCD requirements as part of the analysis, including the development of feasible mitigation such as the payment of mitigation fees, the use of Tier II equipment, and entering into a VERA contract. A programmatic discussion of the Indirect Source Rule, AIA process, and VERA contract process is included in Section 3A, Air Quality, of this Draft SEIR.

Response to Comment 12

The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development may require SJVAPCD permits and a separate project-level CEQA analysis to obtain necessary discretionary approval. It would also have to conform to SJVAPCD permit requirements.

Response to Comment 13

The Agency and the City are co-lead agencies for this Draft SEIR and have received copies of SJVAPCD's IS/NOP comment letter dated August 10, 2009.

Letter 5—Jeanette Jurkovich (email)

Response to Comment 1

The commenter states that the IS/NOP should be considered by the HPC. In accordance with CEQA, the Lead Agency sent the IS/NOP to responsible agencies, including the HPC, on July 16, 2009, which was the first day of the 30-day scoping period. As a courtesy, the Lead Agency has agreed to allow the HPC to comment on the IS/NOP after the close of the 30-day public comment period, which occurred on August 17, 2009. On August 24, 2009, the HPC reviewed the IS/NOP and prepared an IS/NOP comment letter dated August 25, 2009, which can be found in Appendix C. Responses to the HPC comment letter can be found below. Please see “Karana Hattersley-Drayton (for) Historic Preservation Commission, City of Fresno,” below.

Response to Comment 2

The commenter states that the Lead Agency sent the IS/NOP to the wrong address and requests that future notices and documentation regarding the Project be sent to the commenter’s home address. The Lead Agency has updated its mailing list and has sent the Notice of Availability (NOA) of the Draft SEIR to the commenter’s requested address. The NOA indicates where the public may review the Draft SEIR. The Lead Agency will send all required notices and documentation, under CEQA, to the commenter’s requested address in the future.

Response to Comment 3

Please see response to Comment 1, above.

Response to Comment 4

The commenter requests that the Draft SEIR consider impacts associated with the unimplemented mitigation measures in the 1998 EIR as well as mitigation measures for the Armenian Town project because, according to her, the Armenian Town project’s historic resources mitigation has also not been implemented and occurred after certification of the 1998 EIR. The IS/NOP acknowledges that Mitigation Measure 3.15-5 of the 1998 EIR was not implemented. Section 3B, Cultural Resources, includes a discussion of the changes that have occurred since 1998, including characteristics of structures that result in an increased likelihood that such structures would be removed or would fall into further disrepair, as well as the Armenian Town project.

Response to Comment 5

The commenter requests that her email be included in the administrative record. The email has been included in the administrative record (see Appendix C).

Letter 6—Jeanette Jurkovich (letter)

Response to Comment 1

The commenter requests that the Lead Agency outline the “specific course of action ... as it carries out its purposes with respect to Fresno’s historic resources” in the Draft SEIR. Section 3B, Cultural Resources, of this Draft SEIR provides a specific course of action for the consideration of historic resources within the Project Area prior to discretionary approval of future redevelopment activities. This course of action includes the following:

1. Completing intensive surveys for the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) to OHP standards (as described in Instructions for Recording Historic Resources, Appendix 6: Types of Survey Activities). The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012. In conjunction with the intensive surveys, the City would also perform a Phase I archaeological survey of these areas. This is an enhancement of, and adds clarity to, Mitigation Measure 3.15-5 in the 1998 EIR.
2. Requiring that developers follow a survey protocol that is to be applied within the Project Area for historic and archaeological resources consideration during the discretionary approval phase of a Development Project. Please see Section 3B, Cultural Resources, for the definition of a Development Project. Just as with the certified language for Mitigation Measure 3.15-5 in the 1998 EIR, the survey protocol would apply while the intensive-level historic building surveys and Phase I archaeological surveys for the aforementioned areas (see above) are completed so that the Lead Agency may continue processing and approving proposed Development Projects in the Project Area while those broader surveys are underway.

Response to Comment 2

The commenter encourages the Lead Agency to adopt goals and policies that are more consistent with state and City policies for historic preservation and states that the SEIR should identify new feasible mitigation that would lessen or avoid historic resources impacts. The Agency’s primary responsibility is redevelopment, not preservation or conservation of historic resources within the

Project Area. At the same time, the Lead Agency is obligated, in accordance with CEQA and City policies, to provide mitigation that reduces or avoids potential impacts on historic resources to the extent feasible. Please see Section 3B, Cultural Resources, for the proposed mitigation that considers historic resources in accordance with California Public Resources Code Sections 5020–5029.5, NHPA, and local guidelines.

Response to Comment 3

This paragraph is the commenter’s opinion about the value of historic buildings and the perception that is conveyed to outsiders about a city that revitalizes historic buildings. It is not required under CEQA to consider the perception of a project or action but, rather, to disclose the impacts of a project or action and mitigate, when feasible, the project or action’s significant environmental effects, including effects on historic resources.

Response to Comment 4

The commenter states that the Lead Agency has incorrectly used the SEIR process in accordance with State CEQA Guidelines Section 15162 because the project is programmatic rather than project level in nature and also suggests that recirculation of the IS/NOP may be required as a result.

The commenter misunderstands the SEIR process. State CEQA Guidelines Section 15162 applies when later actions are being proposed under a previously certified program EIR. State CEQA Guidelines Section 15168 outlines the proper use of a program EIR. Section 15168(c) refers to Section 15162 as the means to analyze later actions. Section 15168(d) describes the use of programmatic SEIRs. Specifically, Section 15168(d) states that:

Use with Subsequent EIRs and Negative Declarations. A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can

1. Provide the basis in an initial study for determining whether the later activity may have any significant effects;
2. Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole; and
3. Focus an EIR on a subsequent project to permit discussion solely of new effects that have not been considered before.

The use of a subsequent document to analyze changes in a project that was the subject of a prior program EIR has been upheld in numerous court cases and is standard practice under CEQA (see *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001), 91 Cal. App. 4th 342, and *Citizens for*

Responsible Equitable Environmental Development v. City of San Diego Redevelopment Agency, et al. (2005), 134 Cal. App. 4th 598, for example).

Therefore, the commenter is mistaken that the Lead Agency has incorrectly used the SEIR process in accordance with State CEQA Guidelines Sections 15162 and 15168. Recirculation of the IS/NOP is not required because the Lead Agency has complied with State CEQA Guidelines regarding SEIRs.

Response to Comment 5

The commenter voices frustration, saying that the Lead Agency did not comply with CEQA for a previous MND for the Project that was rescinded and the current SEIR effort does not comply with CEQA. Please see response to Comment 4 above regarding the Lead Agency's proper use of the SEIR process for this Project in compliance with the State CEQA Guidelines. The previous MND is not relevant because the Lead Agency is now complying with CEQA by preparing this Draft SEIR for the Project.

Response to Comment 6

The commenter states that the Lead Agency must identify historic resources in the Project Area and recognize future activities that would result in significant impacts on historic resources to fulfill the intent of CEQA and the City's policies for historic preservation. Section 3B, Cultural Resources, of this Draft SEIR identifies currently known historic resources by using existing surveys of the area. The proposed intensive surveys would identify historic resources further. Identified historic resources can be found in Section 3B, Cultural Resources. The section also briefly discusses what activities could result in significant impacts on historic resources.

Response to Comment 7

The commenter states that historic resource surveys are an effective tool to identify historic resources and that the need for surveys is recognized under the City's adopted public policy. Since the preparation of the IS/NOP, and after consideration of the comments received during the 30-day public scoping period, the Agency has decided to retain Mitigation Measure 3.15-5, which requires a "historic building survey" for the South Van Ness Industrial Constituent Project Area. The proposed intensive survey for the South Van Ness Industrial Constituent Project Area (as well as the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas) is in conformance with OHP survey standards and would provide context when subsequent CEQA-required historic resource analyses are prepared for proposed future development. OHP's definition of an "intensive survey" can be found in Section 3B, Cultural Resources.

Response to Comment 8

In the commenter's opinion, Mitigation Measure 3.15-5 is feasible, and the proposed replacement of this mitigation measure has eliminated the measure's intended purpose of proactively identifying historic resources and incorporating the results in long-term land use planning. Please see response to Comment 7, above.

Response to Comment 9

The commenter believes that the Lead Agency's approach in replacing Mitigation Measure 3.15-5 with new mitigation to allow the identification of historic resources on a case-by-case basis is inconsistent with the General Plan, applicable community and specific plans, and CEQA.

In addition to conducting intensive surveys to OHP standards, the City is also proposing, as part of the survey protocol, that project proponents of future development be required to perform additional intensive surveys to OHP survey standards.

The applicable community plans require that only historic preservation be integrated into planning decisions in the applicable areas, and the Lead Agency's proposal does allow for this integration. Additionally, a case-by-case analysis is how most historic resources analyses are done for individual projects under CEQA. Therefore, the proposed new mitigation is also consistent with CEQA.

Response to Comment 10

The commenter requests a copy of the actual instrument that was prepared that allows the Lead Agency to continue its discretionary actions within the Project Area on a case-by-case basis. The actual instrument, or agreement, that allows the Lead Agency to continue its discretionary actions within the Project Area on a case-by-case basis is found on page V-J2 of the 2025 City of Fresno General Plan Master EIR, which states that "until the surveys were completed, the [1998 EIR provides] a mechanism for the evaluation of properties on a case-by-case basis." In accordance with the California Public Records Act, the Lead Agency refers the commenter to the General Plan EIR for a copy of the actual instrument.¹ Please also see the responses to Comments 7 and 9, above.

Response to Comment 11

The commenter states that the SEIR should review other projects that have taken place in the Project Area and disclose the other historic resource mitigation

¹ Available: <<http://www.fresno.gov/NR/rdonlyres/F010C32E-963A-48A3-8391-6FB088D681F3/0/MasterEnvironmentalImpactReportforthe2025FresnoGeneralPlan.pdf>>.

measures that have not been implemented, believing that resulting unmitigated impacts should be identified and disclosed in the SEIR. The Draft SEIR acknowledges that Mitigation Measure 3.15-5 of the 1998 EIR was not implemented. Discussions about the impact of previously unimplemented mitigation is part of the existing environment and is reflected in the various cultural reports summarized in Section 3B, Cultural Resources, which are incorporated by reference to this SEIR. Please also see response to Comment 4 of the “Jeannette Jurkovich (email),” above.

Response to Comment 12

The commenter expresses concern, saying that the IS/NOP indicates that the existence of tunnels in Chinatown has not been substantiated. The IS/NOP has been revised based on this comment and HPC input regarding archaeological resources in the Project Area. This revision changes the significance determination in the IS/NOP from a less-than-significant impact to a potentially significant impact for historic archaeological resources and, therefore, is discussed further in Section 3B, Cultural Resources, of this Draft SEIR. Please see page 25 of “Revisions to the IS/NOP Based on Comments,” below, for more information. Section 3B, Cultural Resources, includes a discussion of archaeological resources, including the alleged “Chinese tunnels,” as well as other possibly significant archaeological resources in the Project Area. It also considers previously unknown archaeological resources. Mitigation has been proposed in the section to address archaeological issues to OHP standards.

Response to Comment 13

The commenter states that the SEIR must include new feasible mitigation and project alternatives. This Draft SEIR provides new and feasible mitigation and discusses project alternatives, including the No-Project Alternative (see Section 3B, Cultural Resources) in accordance with CEQA. Contrary to the commenter’s belief, the Lead Agency is not obligated to maintain and improve neglected, privately-owned structures that may be historical, including the Consumers Ice Building. The Lead Agency’s obligation extends only to those resources that would be affected by its actions. The activities of private property owners, absent Lead Agency involvement, are not among the Lead Agency’s actions. Section 3B, Cultural Resources, further clarifies the Lead Agency’s obligation under CEQA to provide for the consideration of historic resources.

Response to Comment 14

The commenter requests that the Draft SEIR analysis include “the alternative of allowing the various plan areas to emerge from the Merger I plan area as their time limits and eminent domain limits expire.” This is the No-Project Alternative, which is discussed in Chapter 5, Alternatives. The commenter also requests that an alternative that considers the proposed time limits, coupled with

the integration of proactive historic preservation policies and implementation measures, as well as the planned application of tax increment funding toward mothballing and repair, be included in the SEIR. This is not an alternative and application of tax increment funds towards mothballing and repair is a very different priority than the current use of the funds and is outside the existing policies of the Agency.

The commenter also requests that a mitigation measure be created to include a survey of the entire Project Area, along with the development of a preservation plan. The City is proposing to prepare intensive surveys for the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) to OHP standards. The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012. In conjunction with the intensive surveys, the City would also perform a Phase I archaeological survey of these areas. The City is also requiring that developers follow a survey protocol that is to be applied within the Project Area for historic and archaeological resources consideration during the discretionary approval phase of a Development Project. Just as with the certified language for Mitigation Measure 3.15-5 in the 1998 EIR, the survey protocol would apply while the intensive-level historic building surveys and Phase I archaeological surveys for the aforementioned areas are underway.

Response to Comment 15

The commenter states that the SEIR must comply with State CEQA Guidelines Section 15022(a). The Lead Agency has prepared this Draft SEIR in accordance with State CEQA Guidelines Section 15022(a) and all other applicable guidelines, including Section 15162 and Section 15168.

Response to Comment 16

The commenter requests that the mailing list be updated to include her name and correct address. The Lead Agency has updated its mailing list and has sent the NOA of the Draft SEIR to the commenter's requested address. The NOA indicates where the public may review the Draft SEIR. The Lead Agency will send all required notices and documentation, under CEQA, to the commenter's requested address in the future.

Letter 7—Bryan White, County of Fresno

Response to Comment 1

The commenter voices the library's opposition to the future use of the Agency's tax increment for the last phase of the proposed Eaton Plaza renovations. This is noted for the record. Although the Project may facilitate future development of the proposed Eaton Plaza renovations, the last phase of renovations will have to be discretionarily approved. The analysis will have to discuss the impact of the renovations on public facilities, in accordance with CEQA, including libraries. The county library would be afforded the opportunity to comment further about the renovations at that time.

Response to Comment 2

The commenter reiterates an outstanding request that was outlined in a previous letter from the County to the Lead Agency regarding whether the Lead Agency would consider reducing various aspects of the proposed amendments and notes that the IS/NOP may be based on an outdated Preliminary Report. The Lead Agency has followed up with the County since the IS/NOP scoping period and has prepared responses to the request in the previous letter. The commenter is correct in saying that the West Fresno III Constituent Project Area was eliminated from the Project but was found in the Preliminary Report, attached as Appendix B of the IS/NOP. However, this does not refute the IS/NOP analysis because it accounted for elimination of the West Fresno III Constituent Project Area both in the text and in the presentation of data. It used only information in the Preliminary Report that was applicable to the other Constituent Project Areas.

Response to Comment 3

The Lead Agency has the County of Fresno on its mailing list for this Project and has sent the Draft SEIR to the commenter's address. The Lead Agency will send all applicable notices and documentation to the commenter's address in the future. The Lead Agency has provided the County of Fresno with a proposed schedule for adoption of the proposed amendments.

Letter 8—Joe Moore

Response to Comment 1

The commenter is concerned about eliminating Mitigation Measure 3.15-5 from the 1998 EIR and asks why it is no longer feasible in 2009. Since the preparation

of the IS/NOP, and after consideration of the comments received during the 30-day public scoping period, the Lead Agency has decided to retain Mitigation Measure 3.15-5, which requires a “historic building survey” for the South Van Ness Industrial Constituent Project Area. The City-proposed intensive survey for the South Van Ness Industrial Constituent Project Area (as well as the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas) is in conformance with OHP survey standards and would provide context when subsequent CEQA-required historic resource analyses are prepared for proposed future development. OHP’s definition of an “intensive survey” can be found in Section 3B, Cultural Resources.

Response to Comment 2

The commenter asks for consideration of a Project Area-wide survey that identifies potentially eligible historic properties to increase possible eligibility for incentives. The City is proposing to prepare intensive surveys for the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) to OHP standards. The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012. In conjunction with the intensive surveys, the City would also perform a Phase I archaeological survey of these areas. The City is also requiring that developers follow a survey protocol that is to be applied within the Project Area for historic and archaeological resources consideration during the discretionary approval phase of a Development Project. Just as with the certified language for Mitigation Measure 3.15-5 in the 1998 EIR, the survey protocol would apply while the intensive-level historic building surveys and Phase I archaeological surveys for the aforementioned areas are underway.

Response to Comment 3

The commenter states that a case-by-case approach does not allow for consideration of historic districts. The proposed intensive survey approach would be done to OHP standards and would consider groups of buildings as possible historic districts. Additionally, the intensive-level survey of the South Van Ness Industrial Constituent Project Area (South Van Ness Survey) and the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys) would also allow for the consideration of historic districts.

Response to Comment 4

The commenter states that while the complete extent of the underground “Chinese tunnels” and connected basements is not yet fully known, the existence of such archaeological resources is well documented and that mitigation should

be developed to protect these tunnels. Whether these features are Chinese in origin or not, they may be of historic value. The IS/NOP has been revised based on this comment and HPC input regarding archaeological resources in the Project Area. This revision changes the significance determination in the IS/NOP from a less-than-significant impact to a potentially significant impact for archaeological resources and, therefore, has been discussed further in Section 3B, Cultural Resources, of this Draft SEIR. Please see page 25 of “Revisions to the IS/NOP Based on Comments,” below, for more information. Section 3B, Cultural Resources, includes a discussion of archaeological resources, including the reported “Chinese tunnels,” as well as other possible significant archaeological resources in the Project Area. It also considers previously unknown archaeological resources. Mitigation has been proposed in the section to address archaeological issues to OHP standards.

Letter 9—Moses Stites, State of California Public Utilities Commission

Response to Comment 1

The commenter states that the IS/NOP fails to identify any potentially significant impacts related to the at-grade railroad crossings within the Project Area. The Project increases time and financial limits within the Project Area to assist the Agency in continuing its efforts pertaining to blight reduction, amends language found within applicable Constituent Redevelopment Plans to be consistent with current General Plan and future General Plan updates and any applicable specific or community plans, and replaces certain mitigation measures adopted in the 1998 EIR with updated, effective mitigation to consider potentially historic resources. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development would have to consider at-grade railroad crossings as part of individual CEQA review, including for the proposed high-speed train in California. Although there have been accidents in the Project Area between trains and vehicles, bicycles, and pedestrians since certification of the 1998 EIR, the potential for these accidents existed in 1998 as well. Vehicle loads and interactions with trains have likely increased since 1998, but that is a function of time, not the Project. These issues, which are associated with future development, would be addressed during the discretionary approval phase, and the Public Utilities Commission would be given the opportunity to comment on its concerns at that time. Therefore, the Project would not result in new or more severe impacts related to at-grade railroad crossings.

The Lead Agency is required to consider only substantial changes in the Project or its circumstances as well as substantial new information that were not known and could not have been known when the 1998 EIR was certified. State CEQA Guidelines Section 15162 limits the need for extensive analysis of conditions that have not changed.

Response to Comment 2

The commenter states that the Project would add to cumulative traffic levels significantly, which would rise above baseline levels, in the Project Area and that a traffic impact study needs to consider and address traffic safety issues at all at-grade railroad crossings (including queuing issues). The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. As stated in the IS/NOP, the 1998 EIR concluded that even with adequate mitigation for the long term, cumulative impacts would be significant and unavoidable. The cumulative impacts of the Project were disclosed in the 1998 EIR and have not changed; therefore, the Project would not result in new or more severe impacts. Future site-specific development projects would have to prepare individual traffic impact studies that address traffic safety issues at all affected at-grade railroad crossings (including queuing issues) during the discretionary approval phase. The Public Utilities Commission would be given the opportunity to comment on its concerns at that time. Each traffic impact study would consider grade separations, warning devices and signals, signage, medians, visibility, possible parking prohibitions, pedestrian-specific warning devices, eliminating driveways, increased traffic enforcement, and rail safety awareness programs when pertinent.

Response to Comment 3

The commenter states that Public Utilities Commission approval is required to modify existing or construct new highway railroad crossings. Future development would require CEQA review, and the Public Utilities Commission would be given an opportunity to comment on proposed modifications or construction at that time.

Response to Comment 4

The commenter asks the Lead Agency to forward the draft traffic impact study scope for the Project before the Lead Agency commences the actual analysis to ensure that all at-grade railroad crossings are within the parameters of the study. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development would have to prepare traffic impact studies for individual CEQA review, and the Public Utilities Commission would be given an opportunity to comment at that time.

Letter 10—Leslie Forshey, City of Fresno Fire Department

Response to Comment 1

The commenter states that the City of Fresno Fire Department does not provide an inspector on site for large projects until the shell structure has been completed. It requires fire watch personnel, provided and paid for by the developer, at a location if the department sees that there is a potential problem or concern. The IS/NOP has been revised to incorporate this correction. This revision does not change the significance determination in the IS/NOP. Please see “Revisions to the IS/NOP Based on Comments,” page 47, below, for more information.

Letter 11—M. Scott Mansholt, Chevron Environmental Management Company

Response to Comment 1

The commenter states that the purpose of the comment letter is to notify the stakeholders (City and Agency) as to the location of a former crude oil transportation pipeline within the Project Area and request that the pipeline information be incorporated into the Draft SEIR. The location has been noted for the record, and the location information has been incorporated into the Draft SEIR (see Appendix C).

Response to Comment 2

The commenter summarizes evidence of historic releases associated with the former crude oil transportation pipeline, but a number of HRAs have concluded that the soil affected by the releases is non-hazardous and does not pose significant health risks. The commenter further states that while there are currently no known releases, Chevron should be informed of future development in the vicinity of the pipeline. The commenter also asks that GIS land use data be provided. Chevron would provide GIS data that illustrates the location of historic pipelines within the Project Area. This does not provide any substantial new information that could not have been known at the time the 1998 EIR was certified. The former and current health risk status associated with this pipeline has been noted for the record, and the Lead Agency will include Chevron in future mailings for discretionary approval regarding development within the vicinity of historic pipelines. GIS land use data would be provided at the time of each notice.

Letter 12—Karana Hattersley-Drayton (for) Historic Preservation Commission, City of Fresno

Response to Comment 1

The commenter states that the City of Fresno HPC recommends that the South Van Ness Industrial Constituent Project Area historic survey language from the 1998 EIR be retained as well as Mitigation Measure 3.15-5. Since preparation of the IS/NOP, and after consideration of the comments received during the 30-day public scoping period, the Lead Agency has decided to retain Mitigation Measure 3.15-5, which requires a “historic building survey” for the South Van Ness Industrial Constituent Project Area. The City-proposed intensive survey for the South Van Ness Industrial Constituent Project Area (as well as the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas) is in conformance with OHP survey standards and would provide context when subsequent CEQA-required historic resource analyses are prepared for proposed future development. OHP’s definition of an “intensive survey” can be found in Section 3B, Cultural Resources.

Response to Comment 2

The commenter states that the HPC recommends against project-by-project historic surveys but strongly supports comprehensive surveys performed to state standards. In addition to conducting intensive surveys to OHP survey standards, the Lead Agency is also proposing, as part of the survey protocol, that project proponents of future development be also required to perform an intensive survey to OHP survey standards for each Development Project study area. Please see Section 3B, Cultural Resources, for a definition of “Development Project study area.” The Lead Agency’s proposed new mitigation is consistent with the General Plan and Secretary of the Interior’s standards. The applicable community plans require that only historic preservation be integrated into planning decisions in the applicable areas, and the Lead Agency’s proposal does allow for this integration. Additionally, case-by-case analysis is how most historic resources analyses are done under CEQA; therefore, the Lead Agency-proposed new mitigation is also consistent with CEQA.

Response to Comment 3

The commenter states that the HPC supports development of a historic survey protocol and a potential MOU/MOA that would address standards, cost-sharing, and the protocol for accepting and/or adopting the survey findings by the HPC and city council. At the time of circulation of this Draft SEIR, an MOU/MOA had not been agreed upon by the aforementioned entities. The possible failure to agree upon an MOU/MOA in the future does not result in a new or more severe

impact since certification of the 1998 EIR. Therefore, impacts would be less than significant.

Response to Comment 4

The commenter states that the HPC stresses the need for archaeology to be addressed in the SEIR. The IS/NOP has been revised based on this comment and HPC input regarding archaeological resources in the Project Area. This revision changes the significance determination in the IS/NOP from a less-than-significant impact to a potentially significant impact for archaeological resources. Therefore, it has been discussed further in Section 3B, Cultural Resources, of this Draft SEIR. Please see page 25 of “Revisions to the IS/NOP Based on Comments,” below, for more information. Section 3B, Cultural Resources, includes a discussion of archaeological resources, including the supposed “Chinese tunnels,” as well as other possible significant archaeological resources in the Project Area and also considers previously unknown archaeological resources. Mitigation has been proposed in the section to address archaeological issues to OHP standards.

Response to Comment 5

The commenter states that the HPC stresses the need to include an updated list of historic surveys that were performed in the last 10 years as well as a list of potential historic districts, as described in the surveys. Section 3B, Cultural Resources, includes these lists.

Letter 13—William Stretch, Fresno Irrigation District

Response to Comment 1

The commenter states that FID’s Braly No. 14 pipeline traverses the South Van Ness Industrial Constituent Project Area, and may require upgrades and possible realignment to accommodate future development. The comment has been noted for the record, and the Lead Agency will inform FID, as a responsible agency, and solicit their comments about future development at the appropriate time during each individual discretionary approval within the Project Area.

Response to Comment 2

The commenter states that the majority of the Project Area is located outside of the FID service area; therefore, surface water is not allocated to a majority of the Project Area by FID. The commenter further states that new regulations, standards, statutes, and information since 1998 required the City’s UWMP to be

updated in 2008. FID believes that it is not clear whether the UWMP accounts for high water consumption by the Project. If not, then a balanced water supply by 2025 (as called for in the UWMP) would be more difficult to achieve, and impacts must be evaluated, according to FID. The City and Agency concur with FID's assessment that new regulations, standards, statutes, and information since 1998 require an analysis of whether the Project would result in impacts on surface and groundwater supplies that must be addressed in this Draft SEIR. Section 3C, Hydrology and Water Quality, provides a discussion of impacts on groundwater supply. Section 3E, Public Services and Utilities, provides a discussion of impacts on water supply (including groundwater supply) and proposes mitigation that requires development that was not accounted for in the UWMP to meet UWMP standards implemented during site plan review. Site plan review is discretionary and subject to planning director approval of a special permit as well as FID comment. Special conditions can be placed on a project to offset water demand beyond what is accounted for in the UWMP. If necessary, the FID is also allowed to appeal the approval by the director to the planning commission and city council for future development. It would be the responsibility of the developer to satisfy the City and FID regarding how they intend to provide additional water supply, if necessary, for any future development not in compliance with the UWMP.

Response to Comment 3

The commenter states that increased water consumption by the Project would either result in additional groundwater overdraft or a shifting of water supplies to the Project Area from other areas, including FID areas, which would require other areas to be willing use less water. The commenter also expresses concern that projects like the Project would inhibit the City's progress toward balancing water supplies by 2025, which is a stated goal in the UWMP. Please see the response to Comment 2, above.

Response to Comment 4

The commenter states that the SEIR should consider whether developers in the future should be responsible for increasing groundwater recharge capabilities in the Project Area and/or purchasing additional water supplies to offset additional demand. The Project would extend the lifespan of redevelopment activities within the Project Area but would not otherwise change or intensify any land use plans. Whether developers in the future should increase recharge or purchase additional water supply is a broader question pertaining to successful implementation of the UWMP. It is not related to this Project and is out of the scope of this programmatic analysis. Please also see the response to Comment 2, above.

Revisions to the IS/NOP Based on Comments

The IS/NOP has been revised after the close of the 30-day public scoping period to incorporate substantive comments received and improve the accuracy and clarity of the IS/NOP. Except for additional consideration of archaeological resources, the revisions to the IS/NOP do not change the significance conclusions for any of the other environmental factors disclosed during the 30-day public scoping period. As discussed above, additional information presented by commenters during the 30-day scoping period has caused the Lead Agency to change the significance conclusion for archaeological resources in the IS/NOP from a less-than-significant impact to a potentially significant impact (see Section 3B, Cultural Resources, for a discussion of archeological impacts resulting from the Project). The revisions to the original IS/NOP are in double underline and strikethrough format below. The following revisions replace the text found in the original IS/NOP found in Appendix A.

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~~Less Than Significant Impact.~~ **Potentially Significant Impact.** The 1998 EIR determined that the Project Area does not contain any known archaeological resources (Redevelopment Agency of the City of Fresno 1998). Since the 1998 EIR, there have been discussions that suggest that the Chinatown Expanded Redevelopment Project Area may contain historic tunnels associated with illicit activities (such as a past red-light districts and illegal gambling areas) that connect existing underground structures (such as existing basements). ~~However, to date, these claims have not been substantiated.~~ Additionally, the so-called “Germantown” area, found within the Project Area, may also contain previous unknown cultural resources. ~~Mitigation Measure 3.15-1 in the 1998 EIR requires that, if previously unknown archaeological resources are discovered during future development, operations shall cease after discovery and a qualified archaeologist shall be contacted to determine the significance of a find. Therefore, the Project would not result in a new or more severe significance impact on archeological resources and this issue does not require further analysis in the Subsequent EIR.~~ These issues will be addressed further in the SEIR.

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Construction activities that ~~disturb greater than 1 acre~~ disturb at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) would be required to obtain coverage under the statewide NPDES General Construction Permit and prepare a SWPPP to minimize the potential runoff water quality impacts associated with construction.

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Less-than-Significant Impact. As discussed in VI.b and VIII.a, compliance with the statewide NPDES General Construction Permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from future construction that causes soil disturbance ~~over 1 acre~~ of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale). Adherence to the statewide NPDES General Construction Permit requires any site-specific project applicant to develop and implement a SWPPP.

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As discussed in VI.b, compliance with the statewide NPDES General Construction Permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance ~~over 1 acre~~ of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) and potential runoff.

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Construction activities as a result of future development may increase the potential for fires but are not considered to be significant because fire protection response times are adequate within the Project Area, and construction activities would have to adhere to current City fire regulations (Redevelopment Agency of the City of Fresno 1998). Additionally, the City of Fresno Fire Department ~~regulations~~ requires, for large projects, ~~a fire inspector~~ fire watch personnel, provided and paid for by the developer, to be on site until completion of the shell structure if the City of Fresno Fire Department sees that there is a problem or concern (City of Fresno Redevelopment Agency 1998). The operation of future development within the Project Area would incrementally increase demand for fire protection services within the Project Area (Redevelopment Agency of the City of Fresno 1998) but would be subject to the Citywide Fire Facilities Fee, which requires projects to pay their fair share of costs related to fire protection services as a result of future development (City of Fresno 2002). Fresno Municipal Code, Section 12-4.9 sets forth the purpose of the Fire Facilities Fee. It makes it clear that the fee only pays for facilities but not any other aspect of providing fire service, including personnel costs. Costs to operate fire stations and other facilities come out of the City General Fund.

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Any changes in the Project Area's existing circulation system would have to comply with the current General Plan and future updates, the objectives of the applicable Constituent Redevelopment Plan(s), applicable community plans or other future adopted plans, and City design standards. Future development

would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards.

The 2025 City of Fresno General Plan Master EIR provides Mitigation Measures B-1 through B-7, which are applicable to all future development projects in the Project Area. These measures would be applied by the City as development projects present themselves. These measures would ensure that individual project impacts would be analyzed and mitigated in accordance with the conditions that exist in the future.

The Central Area Community Plan (CACP) (City of Fresno 1989) is the primary community plan for most of the Project Area.

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Future development that produces 100 or more peak-hour trips would be required to prepare a traffic analysis to evaluate its contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to the future development in accordance with Mitigation Measure B-4 of the 2025 City of Fresno General Plan Master EIR.

The Project would result in an intensification of land uses within the Project Area, which would produce additional vehicular movements beyond the existing condition.

Page 58

As discussed in VI.b, compliance with the statewide NPDES General Construction Permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance ~~over 1 acre~~ of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale). Adherence to the statewide NPDES General Construction Permit requires the applicant to develop and implement a SWPPP. No substantive changes have occurred since certification of the 1998 EIR that indicate that the Project would result in a new or more severe impact. Therefore, no analysis of this issue is required in the SEIR. As discussed in VI.b and VIII.e, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control District (i.e., the district's master plan), including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of future development to collect and channelize stormwater flows as well as reduce flows that could exceed the capacity of the stormwater drainage system. An individual development's stormwater conveyance needs would have to be reviewed and approved by the City (Redevelopment Agency of the City of Fresno 1998). A future development's stormwater drainage system improvements would also have to be reviewed and approved by the Fresno Metropolitan Flood Control District for conformance with the district's master plan prior to improvement construction.

Additionally, future development in those portions of the Project Area that lie within district drainage areas RR and II1 are obligated under ordinance to pay a “full cost” drainage fee and also subject to an increased benefit assessment on the future development’s annual property tax bill for completion of the system for drainage areas RR and II1. Therefore, the Project may require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities.

Organization of Environmental Analysis

To assist the reader in comparing information about the respective environmental issues, each section (Sections 3A–3E) is organized as listed below.

Introduction. Introduces the issue area and a general approach to the assessment.

Environmental Setting. Describes the current physical environmental conditions in the Project Area to which each issue will be compared. According to State CEQA Guidelines, the environmental setting normally constitutes the baseline physical conditions by which the lead agency determines whether an impact is significant.

Applicable Regulations. Summarizes the applicable regulations, plans, and standards that apply to the Project and that relate to a specific issue area.

Impacts and Mitigation. Discusses the significance criteria, the environmental impact analysis, and the mitigation measure(s) necessary to reduce an environmental impact and the level of impact significance following the implementation of recommended mitigation measure(s).

Methodology. Describes the methods used to analyze the impacts, including whether a qualitative analysis or quantitative analysis is used.

Criteria for Determining Significance. Identifies the significance criteria used to evaluate the Project’s impacts or, where applicable, “thresholds of significance,” which are levels at which the City finds an impact to be significant. The significance criteria can be a quantitative or qualitative standard or a set of criteria, pursuant to which the significance of a given environmental effect may be determined.

Project Impacts. Considers the Project’s potential impacts resulting from short-term construction and long-term operation of the Project based on the environmental analysis. Mitigation measures are identified for Project impacts that are considered significant based on the significance criteria or thresholds of significance. While criteria for determining significant impacts are unique to each issue area, the environmental analysis applies a uniform classification of the impacts based on the following definitions:

- A designation of ***no impact*** is given when no adverse change in the environment are expected.
- A ***less-than-significant impact*** would cause no substantial adverse change in the environment.
- A ***less-than-significant impact with mitigation incorporated*** would avoid substantial adverse impacts on the environment through mitigation.
- A ***significant and unavoidable impact*** would cause a substantial adverse impact on the environment, and no feasible mitigation measure is available to reduce the impact to a less-than-significant level.

Given the above classification, the environmental impact analysis assesses each issue area to determine the significance level.

Mitigation Measures. Proposes mitigation measures for potentially significant impacts that would reduce or avoid each impact, as appropriate. Pursuant to State CEQA Guidelines Section 15162, the mitigation measures identified in the 1998 EIR apply to the Project, except as revised in the Draft SEIR.

Level of Significance after Mitigation. Provides the final conclusion on the level of significance of each impact after all mitigation is considered and incorporated into the Project.

Section 3A
Air Quality

Introduction

This section describes the environmental setting (existing conditions and applicable regulations) for air quality and greenhouse gas (GHG) emissions relating to the Project, the impacts on air quality that would result from the Project, the emissions of GHGs that would result from the Project, and mitigation measures that would reduce these impacts.

- California Air Resources Board (CARB) (2008a) Criteria Air Pollutant Standards;
- San Joaquin Valley Air Pollution Control District (SJVAPCD) (2002) Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI);
- Desert Research Institute and National Oceanic and Atmospheric Administration (NOAA), Western Regional Climate Center Historical Climate Summaries (2006);
- Assembly Bill (AB) 32 Scoping Plan;
- General Plan Air Quality Element, Revised May 7, 2009;
- 1998 EIR;
- CARB (2009b) Air Quality Monitoring Station Data; and
- Climate Action Team Report, April 2009.

The IS/NOP (see Appendix A) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would:

- conflict with or obstruct implementation of the applicable air quality plan;
- expose sensitive receptors to substantial pollutant concentrations; or
- create objectionable odors affecting a substantial number of people.

IS/NOP revisions can be found in Appendix A, and responses to applicable comments in Chapter 3, Environmental Analysis, Response to IS/NOP Comments. Therefore, these issues are not addressed further in this section.

Previous Efforts

In 1998, a programmatic EIR was prepared for the Merged Redevelopment Project, with the Agency acting as lead. As described in Chapter 2 of this Draft SEIR, many of the term and financial limits associated with the 1998 EIR expire in the near future, thus necessitating an update to the 1998 EIR. In terms of Air Quality, both the environmental and regulatory setting have changed significantly since certification of the 1998 EIR, most notably, the passage of California legislation related to statewide emissions of GHGs (AB 32 2006). In subsections of this chapter, the current conditions are first discussed, followed by a brief highlight of conditions in 1998. A complete discussion of climate change is also included in this chapter, which was not included in the 1998 EIR.

Environmental Setting

The Project Area is located in the City of Fresno (City) in the center of Fresno County, which is within the San Joaquin Valley Air Basin (SJVAB). Air quality in the SJVAB is under the jurisdiction of SJVAPCD.

Regional Climate and Meteorology

The San Joaquin Valley lies in the central region of the State of California; it is bounded to the east by the Sierra Nevada Mountain Range, to the west by the Coastal Mountain Range, and to the south by the Tehachapi Mountains. The valley is open only in the north, at the Carquinez Strait where the San Joaquin-Sacramento Delta empties into San Francisco Bay. These topographic features result in weak horizontal air flow and conditions favorable to pollutant accumulation.

Prevalent high barometric pressure in the region greatly reduces vertical air movement, exacerbating air stagnation in the valley. In the SJVAB, vertical dispersion of pollutants is often limited by the presence of inversion layers, a condition that arises when a layer of relatively warm air is overlying a layer of colder air. The Earth's surface is warm and consequently warms the air immediately above the surface. In general, the air near the earth's surface is warm and temperature decreases with height above the surface. Because warm air tends to rise, this condition promotes mixing of the air near earth's surface. Alternatively, when a region of air aloft is warmer than the layer below (an inversion layer), mixing is greatly reduced. Inversion layers are common in the SJVAB. As a result, SJVAB is susceptible to significant pollutant accumulation over time, regardless of pollutant emission rates.

In addition to topography, prevailing patterns in temperature, wind speed, wind direction, precipitation, and fog can affect pollutant levels in the SJVAB throughout the year. The area's climate is characterized by hot, dry summers

with average maximum July temperatures of 99° Fahrenheit (F) (Desert Research Institute 2006) and average summer rainfall of roughly 0.6 inches (June-August). High summer temperatures promote the formation of ground level ozone in the San Joaquin Valley. The summer air flow pattern is predominantly from north (west) to south (east), with strong winds bringing air from the San Francisco Bay Air Basin into the SJVAB through the Carquinez Strait ,south-southeast through the valley, and out through the Tehachapi Pass to the Southeast Desert Air Basin.

Winter temperatures in the Fresno area (Dec-Feb) range between 37° F and 62° F (Desert Research Institute 2006). Average precipitation in the region averages roughly 2.3 inches (Jan-March). During the winter air flow through the Carquinez Strait is greatly diminished and winds can originate from the south end of the SJVAB, flowing to the north-northwest. During the winter months, the SJVAB is often characterized by light, variable winds (less than 10 miles per hour). Those low wind speeds, combined with frequent inversion layers at low altitude, create a climate conducive to high concentrations of pollutants in the winter.

Monthly climate data (1948-2008) from long-term monitoring at the Fresno airport are summarized in Table 3A-1.

Table 3A-1. Representative Temperature, Precipitation, and Snowfall Data from Fresno WSO AP, Fresno, California

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Maximum Temp (F)	54.5	61.5	67.0	74.5	83.5	91.7	98.2	96.3	90.5	79.7	65.3	54.6	76.5
Average Minimum Temp (F)	37.5	40.6	43.8	47.9	54.3	60.4	65.6	63.9	59.4	51.0	42.4	37.2	50.3
Average Total Precip. (in.)	2.11	1.90	1.87	1.01	.037	0.14	0.01	0.01	0.16	0.51	1.14	1.58	10.81
Average Snowfall (in.)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Source: Western Regional Climate Center, Desert Research Institute 2006.

Criteria Pollutants and Local Air Quality

Description of Pollutants

The federal and state governments have established ambient air quality standards for seven 'criteria' pollutants: ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), and lead. Additionally, the State of California has established ambient standards for sulfates, hydrogen sulfide (H₂S), vinyl chloride, and visibility reducing particles (see Table 3A-2).

Table 3-2. Ambient Air Quality Standards Applicable in California and the Attainment Status of San Joaquin Valley Air Basin

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria		Attainment Status of SJVAB	
			California	National	California	National	California	National	California	National
Ozone*	O ₃	1 hour	0.09	NA	180	NA	If exceeded	NA	Severe nonattainment	NA
		8 hours	0.070	0.075	137	147	If exceeded	If fourth highest 8-hour concentration in a year, averaged over 3 years, is greater than the standard	Nonattainment	Serious nonattainment
Carbon monoxide	CO	8 hours	9.0	9	10,000	10,000	If exceeded	If exceeded on more than 1 day per year	Unclassified	Attainment/ unclassified
		1 hour	20	35	23,000	40,000	If exceeded	If exceeded on more than 1 day per year	Unclassified	Attainment/ unclassified
(Lake Tahoe only)		8 hours	6	NA	7,000	NA	If equaled or exceeded	NA	NA	NA
Nitrogen dioxide	NO ₂	Annual arithmetic mean	0.030	0.053	57	100	If exceeded	If exceeded on more than 1 day per year	Attainment	Attainment/ unclassified
		1 hour	0.18	NA	339	NA	If exceeded	NA	Attainment	NA
Sulfur dioxide	SO ₂	Annual arithmetic mean	NA	0.030	NA	80	NA	If exceeded	NA	Attainment/ unclassified
		24 hours	0.04	0.14	105	365	If exceeded	If exceeded on more than 1 day per year	Attainment	Attainment/ unclassified
		1 hour	0.25	NA	655	NA	If exceeded	NA	Attainment	NA

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria		Attainment Status of SJVAB		
			California	National	California	National	California	National	California	National	
Hydrogen sulfide	H ₂ S	1 hour	0.03	NA	42	NA	If equaled or exceeded	NA	Unclassified	NA	
Vinyl chloride	C ₂ H ₃ Cl	24 hours	0.01	NA	26	NA	If equaled or exceeded	NA	Attainment	NA	
Inhalable particulate matter	PM10	Annual arithmetic mean	NA	NA	20	NA	If exceeded	NA	Nonattainment	NA	
		24 hours	NA	NA	50	150	If exceeded	If exceeded on more than 1 day per year	Nonattainment	Attainment/maintenance ^a	
		Annual arithmetic mean	NA	NA	12	15.0	If exceeded	If 3-year average of the weighted annual mean from single or multiple community-oriented monitors exceeds the standard	Nonattainment	Nonattainment ^b	
		24 hours	NA	NA	NA	35	NA	If less than 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard	NA	Nonattainment ^b	
Sulfate particles	SO ₄	24 hours	NA	NA	25	NA	If equaled or exceeded	NA	Attainment	NA	
Lead particles	Pb	Calendar quarter	NA	NA	NA	1.5	NA	NA	If exceeded no more than 1 day per year	NA	NA
		30-day average	NA	NA	1.5	NA	If equaled or exceeded	NA	Attainment	NA	
		Rolling 3-Month average	NA	NA	NA	0.15	NA	NA	Averaged over a rolling 3-month period	NA	No designation

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria		Attainment Status of SJVAB	
			California	National	California	National	California	National	California	National
Visibility Reducing Particles		8 hour	See below ^C	NA	See below ^C	NA	If exceeded	NA	Unclassified	NA

Ozone and NO_2 are considered to be regional pollutants because they or their precursors affect air quality on a regional scale: NO_2 reacts photochemically with reactive organic gases (ROGs) to form ozone, and this reaction occurs at some distance downwind of the source of pollutants. Pollutants such as CO, PM10, and PM2.5 are considered to be local pollutants because they tend to disperse rapidly with distance from the source. The health effects of the pollutants of concern in the SJVAB are discussed below.

The previous EIR for the Project was certified in 1998. At that time, the SJVAB was classified under the federal air quality standards as “serious” for ozone and PM10. According to state standards, the region was classified as “non-attainment” for PM10. In Tables 3A-3 thru 3A-14, criteria pollutant concentrations as measured at local monitoring stations in 1998 are shown. Because standards change through time, this allows the 1998 data to be compared against 2008 data as well as against the current standards.

Ozone

Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Ozone is a severe eye, nose, and throat irritant. Ozone also attacks synthetic rubber, textiles, plants, and other materials. Ozone causes extensive damage to plants, including agricultural crops, by leaf discoloration and cell damage.

Ozone is not emitted directly into the air, but is formed from precursor compounds [ROGs and nitrogen oxides (NO_x)] by a photochemical reaction in the atmosphere. ROGs and NO_x react in the atmosphere in the presence of sunlight to form ozone. Because photochemical reaction rates depend on the intensity of ultraviolet light and air temperature, ozone is primarily a summer air pollution problem. The ozone precursors, ROGs and NO_x , are emitted by mobile sources and by stationary combustion equipment. High concentrations of ground level ozone are often found downwind of metropolitan areas in the San Joaquin Valley, which can be strong sources of ozone precursors. However, air quality data indicate that ozone in the valley is formed from a combination of local and transported precursor pollutants (San Joaquin Valley Air Pollution Control District 2002a).

While ozone in the upper atmosphere protects the earth from harmful ultraviolet radiation, high concentrations of ground level ozone can adversely affect the human respiratory system. Many respiratory ailments, as well as cardiovascular disease, are aggravated by exposure to high ozone levels. Ozone also damages natural ecosystems such as forests and foothill communities, agricultural crops, and some human-made materials such as rubber, paint, and plastics.

Symptoms from ground-level ozone include cough, chest tightness, pain upon taking a deep breath, wheezing and other asthma symptoms, stuffy nose, eye

irritation, and reduced resistance to colds and other infections. High levels of ozone may negatively impact immune systems making people more susceptible to respiratory illnesses, including bronchitis and pneumonia. Ozone also accelerates aging and exacerbates pre-existing asthma and bronchitis and, in cases of high concentrations, can lead to the development of asthma in active children. Active people, both children and adults, appear to be more at risk from ozone exposure than those with a low level of activity. Children appear to be at greater risk since they spend more time outdoors and have lower body mass. The elderly and those with respiratory disease are also considered sensitive populations for ozone.

Ambient air quality standards are set with human health and safety as the primary goal. State and federal standards for ozone have been set for a 1-hour and 8-hour exposure, averaging time (see Table 3A-2). The state 1-hour ozone standard is 0.09 parts per million (ppm), not to be exceeded. The U.S. Environmental Protection Agency (EPA) recently replaced the 1-hour ozone standard with an 8-hour standard of 0.075ppm. The EPA issued a final rule to revoke the 1-hour standard on June 15, 2005. On April 28, 2005, CARB approved a new 8-hour ozone standard of 0.07 ppm, which became effective in 2006.

Reactive Organic Gases and Volatile Organic Compounds

Hydrocarbons are organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including volatile organic compounds (VOCs) and ROGs that can be classified under the larger umbrella term of hydrocarbons. The EPA uses the term VOCs to refer to a specific group of highly volatile and reactive hydrocarbons. The definition of the term VOCs, as defined in the federal register, is any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, ammonium carbonate, and additional exempted compounds listed in the federal register that the EPA has determined to be of extremely low reactivity (California Air Resources Board 2004). The CARB uses the terms total organic carbon (TOC) and ROGs. ROGs also refer to any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, ammonium carbonate, and additional compounds exempted by CARB. (California Air Resources Board 2004). Therefore, ROGs are a set of organic gases based on state rules and regulations. CARB and EPA's lists of exempted compounds, and consequent lists of ROGs and VOCs, differ slightly. The list of compounds exempt from the definition of VOCs by the EPA is included by the SJVAPCD and is presented in SJVAPCD Rule 1102. VOCs are therefore a set of organic gases based on federal rules and regulations. The SJVAPCD classification of ROGs is, therefore, a more thorough and inclusive definition.

Both VOCs and ROGs are emitted from incomplete combustion of hydrocarbons or other carbon-based fuels. Combustion engine exhaust, oil refineries, and oil-fueled power plants are the primary sources of hydrocarbons. Another source of hydrocarbons is evaporation from petroleum fuels, solvents, dry cleaning

solutions, and paint. ROGs and VOCs are precursors to the photochemical ozone.

The primary health effects of hydrocarbons result from the formation of ozone and its related health effects. High levels of hydrocarbons in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons are considered toxic air contaminants (TACs), or air toxics. There are no health standards for ROGs separately. In addition, some compounds that make up ROGs are also toxic. An example is benzene, which is a carcinogen. TACs are analyzed separate from ROGs or VOCs emissions and a discussion of their specific health effects are provided in a subsequent section.

ROGs and VOCs are not classified as criteria pollutants and therefore, emissions are not measured against national or state air quality standards. Because ROGs and VOCs are ozone precursors, the SJVAPCD has established thresholds of significance not to be exceeded. These thresholds are discussed in subsequent sections.

Nitrogen Oxides

NO_x is a family of highly reactive gases that are primary precursors to the formation of ground-level ozone, and react in the atmosphere to form acid rain. NO_x is emitted from the use of solvents and combustion processes in which fuel is burned at high temperatures, principally from motor vehicle exhaust and stationary sources such as electric utilities and industrial boilers. A brownish gas, NO₂ is a strong oxidizing agent that reacts in the air to form corrosive nitric acid, as well as toxic organic nitrates.

NO_x can irritate the lungs, cause lung damage, and lower resistance to respiratory infections such as influenza. The effects of short-term exposure are still unclear, but continued or frequent exposure to concentrations that are typically much higher than those normally found in the ambient air may cause increased incidence of acute respiratory illness in children. Health effects associated with NO_x are an increase in the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_x may lead to eye and mucus membrane aggravation, along with pulmonary dysfunction. NO_x can cause fading of textile dyes and additives, deterioration of cotton and nylon, and corrosion of metals due to production of particulate nitrates. Airborne NO_x can also impair visibility. NO_x is a major component of acid deposition in California. NO_x may affect both terrestrial and aquatic ecosystems. NO_x in the air is a potentially significant contributor to a number of environmental effects such as acid rain and eutrophication in coastal waters.

Both the EPA and CARB have set an annual arithmetic mean threshold that is not to be exceeded for NO₂ (see Table 3A-2). The annual mean state and federal standards are 0.030 ppm and 0.053 ppm respectively. The state 1-hour NO₂ standard is 0.18ppm per volume. There is no federal 1-hour NO₂ standard.

Carbon Monoxide

CO is essentially inert to plants and materials but can have significant effects on human health. CO combines readily with hemoglobin and thus reduces the amount of oxygen transported in the bloodstream. The health threat from CO is most serious for those who suffer from cardiovascular disease. Healthy individuals are also affected, but only at higher levels of exposure. At high concentrations, CO can cause heart difficulties in people with chronic diseases, and can impair mental abilities. Exposure to elevated CO levels is associated with visual impairment, reduced work capacity, reduced manual dexterity, poor learning ability, difficulty performing complex tasks, and death.

CO is product of incomplete combustion, and is emitted directly into the atmosphere (unlike ozone), predominantly by motor vehicles. High CO levels develop primarily during winter when periods of light winds combine with the formation of ground-level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased CO emission rates at low air temperatures. The main sources of CO in the San Joaquin Valley are motor vehicles and waste burning.

State and federal CO standards have been set for both 1-hour and 8-hour averaging times (see Table 3A-2). The state 1-hour standard is 20 ppm by volume, and the federal 1-hour standard is 35 ppm. Both state and federal standards are 9 ppm for the 8-hour averaging period.

Inhalable Particulate Matter

Particulate matter pollution consists of very small liquid and solid particles suspended in the air. Some particles are large or dark enough to be seen with the naked eye, such as soot or smoke. Others are so small they can be detected only with an electron microscope. Particulate matter is a mixture of materials that can include smoke, soot, dust, salt, acids, water, organics, and metals. Particulate matter can be directly emitted from a source i.e. dust, or can also form when gases emitted from motor vehicles and industrial sources undergo chemical reactions in the atmosphere. PM10 refers to particles less than or equal to 10 microns in aerodynamic diameter. PM2.5 refers to particles less than or equal to 2.5 microns in aerodynamic diameter and are a subset, or portion, of PM10. Both PM10 and PM2.5 particles are small enough – about 1/7th the thickness of a human hair – to be inhaled into, and lodge in, the deepest parts of the lung, evading the respiratory system's natural defenses.

In the western United States, sources of PM10 are found in both urban and rural areas. PM10 and PM2.5 are emitted from stationary and mobile sources, including diesel trucks and other motor vehicles, power plants, industrial processing, wood burning stoves and fireplaces, wildfires, dust from roads, construction, landfills, and agriculture, and fugitive windblown dust. Because particles originate from a variety of sources, their chemical and physical

compositions vary widely. The optical properties of PM that impact visibility, as well as the human health effects are highly dependent on the chemical and physical composition.

Particulates can damage human health and retard plant growth. Particulates also reduce visibility and corrode materials. The human body's response to foreign particles, when inhaled, induces a host of acute and chronic health issues including: aggravation of chronic respiratory diseases, heart and lung disease, coughing, bronchitis, cancer, allergic reactions and higher frequency of respiratory illnesses in children. Recent mortality studies have shown a statistically significant association between mortality and daily concentrations of particulate matter in the air. PM10 can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections.

Certain groups of people are especially vulnerable to the adverse health effects of PM10 and PM2.5. These sensitive populations include children, the elderly, exercising adults, and those suffering from chronic lung disease such as asthma or bronchitis. Of greatest concern are recent studies that link PM10 and PM2.5 exposure to the premature death of people who already have heart and lung disease, especially the elderly. Acidic PM10 and PM2.5 can also damage human-made materials and is a major cause of reduced visibility in many parts of the U.S. CARB has adopted an 8-hour standard for specifically for visibility reducing particles.

The federal and state ambient air quality standards for particulate matter apply to two classes of particulates, PM2.5 and PM10. The state PM10 standards are 50 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) as a 24-hour average and 20 $\mu\text{g}/\text{m}^3$ as an annual arithmetic mean (see Table 3A-2). The federal PM10 standard is 150 $\mu\text{g}/\text{m}^3$ as a 24-hour average. The federal PM2.5 standards are 15 $\mu\text{g}/\text{m}^3$ for the annual average and 35 $\mu\text{g}/\text{m}^3$ for the 24-hour average. The CARB adopted an annual average PM2.5 standard of 12 $\mu\text{g}/\text{m}^3$.

Sulfur Oxides

Sulfur oxide gases (SO_x) are a family of colorless, pungent gases that include SO_2 , and are formed primarily by combustion of sulfur-containing fossil fuels (mainly coal and oil), and during metal smelting and other industrial processes. Sulfur oxides can react to form sulfate particles, which significantly reduce visibility.

The major health concerns associated with exposure to high concentrations of SO_x include effects on breathing, respiratory illness, alterations in pulmonary defenses, and aggravation of existing cardiovascular disease. Emissions of SO_x also can damage foliage of trees and agricultural crops. Together, SO_x and NO_x are the major precursors to acid rain, which is associated with the acidification of lakes, streams, and accelerated corrosion of buildings and monuments.

The state standards are 0.04 ppm for a 24-hour average and 0.25 ppm for a 1 hour average. The federal standards are 0.14 ppm for a 24-hour average and 0.03 ppm for an annual average (see Table 3A-2).

Although the SJVAB is in attainment for SO_x according to both the federal and state standards, it is still of concern in the region due to its propensity to further oxidize in the atmosphere, ultimately forming particulate matter, for which the region is classified as non-attainment.

Vinyl Chloride

Vinyl chloride is a sweet-smelling, colorless gas at typical ambient temperatures (~25°C). Landfills, sewage treatment plants, and polyvinyl chloride (PVC) production are the major identified sources of vinyl chloride emissions in California. PVC can be fabricated into several products such as PVC pipes, pipe fittings, and plastics.

In humans, epidemiological studies of occupationally exposed workers have linked vinyl chloride exposure to development of a rare cancer, liver angiosarcoma, and have also suggested a relationship between exposure and lung and brain cancers.

The state standard for vinyl chloride is 0.01ppm for a 24-hour average. There is no federal standard for vinyl chloride.

Lead

Lead is a metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. Between the 1930s and mid 1970's lead was a common additive to gasoline, increasing the octane rating and reducing engine "knock." The recognition of the severe environmental impacts associated with lead in the 1970's prompted numerous governments to phase out its use through a variety of mechanisms. The catalytic converter, universally installed on new automobiles after about 1975, were found to be incompatible with leaded gasoline, further discouraging its use. It was not until 1996 that the sale of leaded gasoline for on-road vehicles in the U.S. was banned under the Clean Air Act. However, by that time, leaded gasoline accounted for less than 1% of U.S. gasoline sales. Ambient concentrations of lead have dropped dramatically since the early 1970's.

Short-term exposure to high levels of lead can cause vomiting, diarrhea, convulsions, coma, or even death. However, even small amounts of lead can be harmful, especially to infants, young children, and pregnant women.

The state standard for lead is 1.5 µg/m³ for a 30-day average and the SJVAB is in attainment (see Table 3A-2). There is no federal standard for lead.

Hydrogen Sulfide

Hydrogen sulfide (H₂S) gas is colorless, with a characteristic odor of rotten eggs. Atmospheric H₂S is rapidly oxidized to SO₂, which is eventually converted into sulfate, then sulfuric acid. When sulfuric acid is removed from the atmosphere as acid rain, it can damage plant tissue and aquatic ecosystems. H₂S is primarily associated with geothermal activity and oil production activities.

H₂S can cause dizziness; irritation to eyes, mucous membranes, and the respiratory tract; nausea; and headaches at low concentrations. Exposure to higher concentrations (above 100 ppm) can cause olfactory fatigue, respiratory paralysis, and death. H₂S can be detected by the nose at extremely low concentrations, as low as 1/400, the threshold for harmful human health effects. H₂S does not accumulate in the body, but is quickly excreted at normal exposure concentrations. Acute health effects do not occur until the exposure is greater than the body's ability to remove the excess sulfur.

The state standard for H₂S is 0.03 ppm for a 1-hour average. There is no federal standard. It is no longer considered by the SJVAPCD to be a problem in the SJVAB, and is not currently monitored.

Toxic Air Contaminants

According to section 39655 of the California Health and Safety Code, a TAC is "an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health." The 189 substances that have been listed as federal hazardous air pollutants (HAPs) pursuant to section 7412 of Title 42 of the United States Code are included in the state of California's list of TACs, along with 11 other compounds not included on the federal list, under the state's air toxics program pursuant to section 39657 (b) of the California Health and Safety Code.

TACs are pollutants that may result in an increase in mortality or serious illness, or that may pose a present or potential hazard to human health. The TACs can cause various cancers depending on the particular chemical's type and duration of exposure. Additionally, some of the TACs may cause short-term and/or long-term health effects. The 10 TACs posing the greatest health risk in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chrome, para-dichlorobenzene, formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter. A description of these pollutants, their sources, and health effects are contained in *CARB Almanac, Chapter 5: Toxic Air Contaminant Emissions, Air Quality and Health Risk* (California Air Resources Board 2009a). Health risk guidelines are developed by the Office of Environmental Health Hazard Assessment for the list of chemicals regulated as toxic.

Valley Fever

Although not a direct air pollutant, Valley Fever (coccidioidomycosis) is caused by inhalation of airborne spores. In Fresno County, data from laboratory test reports indicate the occurrence of Valley Fever is about 30 symptomatic infections per year (Valley Fever Center for Excellence 2009).

At least 60% of primary coccidioidomycosis is acquired symptomatically, with a positive result on a skin test being the only manifestation of infection. 40% of the infections become symptomatic with a disease spectrum ranging from mild influenza-like illness to a fulminating dissemination resulting in death. Primary coccidioidomycosis is limited to the initial lesions in the lungs where symptoms typically include fever, which may be 99°F to 104°F; chills; profuse sweating at night; and chest pain, which may worsen to include coughing; loss of appetite; headache; generalized muscle and joint aches; and slight swelling and redness of the joints. The prognosis of primary coccidioidomycosis is usually reliable and symptoms generally clear within 2 or 3 weeks. Patients whose symptoms persist after 6 to 8 weeks may be considered to have persistent pulmonary coccidioidomycosis.

Dissemination of coccidioidomycosis to sites in the body other than the lungs usually occurs within the first or second month and can cause a variety of symptoms. Dissemination may involve any organ of the body, except those in the gastrointestinal tract. The skin, bones, joints, meninges, and genitourinary system are most commonly involved. Involvement of a vital organ may result in death. Meningitis occurs in one-third to one-half of all patients with the disseminated disease. Untreated coccidioidal meningitis is usually fatal within less than 2 years.

Valley Fever is not contagious and therefore, cannot be passed on from person to person. Most of those who are infected will recover without treatment within 6 months and will have a lifelong immunity to the fungal spores. In severe cases such as patients with rapid and extensive primary illness, those who are at risk for dissemination of disease and those who have disseminated disease, antifungal drug therapy is used. Only 1 to 2% of those exposed who seek medical attention will develop disease that disseminates (spreads) to other parts of the body other than the lungs. Table 3A-3 presents the various infection classifications and normal diagnostic spread.

Table 3A-3. Range of Valley Fever Cases

Infection Classification	Percent of Total Diagnosed Cases
Unapparent Infections	60%
Mild to Moderate Infections	30%
Infections Resulting in Complications	5 to 10%
Fatal Infections	<1%

Source: Valley Fever Center For Excellence 2009.

Factors that affect the susceptibility to coccidioidal dissemination are race, gender, pregnancy, age, and immune-suppression. Also, residents new to the San Joaquin Valley are primarily at a higher risk of infection due to low immunity to this particular fungus. Many longtime residents exposed to Valley Fever have recovered and therefore, developed a life-long immunity to the disease (Valley Fever Center for Excellence 2009).

The spores become airborne when the soil is disturbed by winds, construction, farming, and other activities. The fungal spores are often found in the soil around rodent burrows, Native American ruins, and burial grounds. This type of fungus is common in the southwestern United States. The ecologic factors that appear to be most conducive to the survival and replication of the fungal spores are; high summer temperatures, mild winters, sparse rainfall, and alkaline, sandy soils.

While the risk of contracting Valley Fever is considered low based on the general dissimilarity between the sediments known to contain the spores and the sediments believed to be present in the Project vicinity, it must be noted that: 1) airborne dust containing the spores can be transported to the Project vicinity from other locales within the surrounding area potentially exposing those present to the disease; and 2) persons who have not resided in the Project vicinity may be more susceptible to contracting the disease than long-time residents due to many environmental, medical, and personal factors. The conclusions regarding the potential for either exposure to or contraction of Valley Fever through the implementation of the Project should not be construed as a professional medical or public health opinion. These conclusions are merely a review of the geologic condition of the Project site relative to potential presence of sediments known to contain the Valley Fever spore.

Asthma in the San Joaquin Valley

Asthma is a chronic condition in the lungs consisting of inflammation of the airways and constriction of the muscle tissue around the airways. Asthma symptoms can flare in response to exposure to a trigger, which can be an allergen, an infection, a strong odor or fume or other exposure. Children living in the eight San Joaquin Valley counties (Fresno, Kern, Kings, Madera, Merced,

San Joaquin, Stanislaus, and Tulare) have a higher incidence of asthma than the national average (Hernandez et al. 2004). In 2005, the national average for asthma prevalence for children 0-17 years of age was on the order of 6% (Akinbami 2006). In 2004, 157,000 of the roughly 1 million children (0-17) living in the San Joaquin Valley, or 15.8%, had asthma. Rates of asthma are highest among children who live in Fresno and Kings Counties, where over 20% of children ages 0-17 have been diagnosed with asthma, compared with 15.8% Valley-wide (Hernandez et al. 2004). The connection between exposure to outdoor air pollution and risk level for childhood asthma has been widely investigated in the scientific community and it has been shown that short-term increases in air pollution can exacerbate symptoms in children already diagnosed with asthma (Gilmour 2006). A recent study by Wilhelm et al. (2008) notes that, "Ozone, particulate matter < 10 and < 2.5 μm in aerodynamic diameter (PM10 and PM2.5), and nitrogen dioxide are the pollutants linked most consistently with exacerbation of asthma symptoms."

Naturally Occurring Asbestos Impacts

Ultramafic, serpentized rock is closely associated with asbestos and is chemically composed of the following list of minerals:

- Antigorite; $(\text{Mg,Fe})_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Clinochrysotile; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Lizardite; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Orthrochrysotile; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Parachrosotile; $(\text{Mg,Fe})_3\text{Si}_2\text{O}_5(\text{OH})_4$

These minerals have essentially the same chemistry but different structures. Chrysotile minerals are more likely to form serpentinite asbestos; however, serpentinite is uncommon to sedimentary soil found in the Project vicinity.

Asbestos can only adversely affect humans in its fibrous form and these fibers must be broken and dispersed into the air and then inhaled. During geological processes (e.g., fault movement) the asbestos mineral can be crushed causing it to become airborne. It also enters the air or water from the breakdown of natural deposits. Constant exposure to asbestos at high levels on a regular basis may cause cancer in humans. The two most common forms of cancer are lung cancer and mesothelioma, a rare cancer of the lining that covers the lungs and stomach.

Asbestos occurs in certain geologic environments found throughout California, but rare in Fresno County (California Geological Survey 2000). Based on the known geologic environment common to the Project vicinity (California Geological Survey 2000), exposure to, and health risks from, naturally occurring asbestos to either construction personnel or Project residents is considered to be low.

The risk of contracting asbestos-related illnesses is considered low, based on the general dissimilarity between the sediments known to contain the fibers and the sediments believed to be present in the Project vicinity. However, airborne dust containing the fibers can be transported to the Project vicinity from other locales within the surrounding area, potentially exposing those present to related diseases. The conclusions regarding the potential for either exposure to asbestos-containing fibers or contraction of asbestos-related diseases through the construction of the proposed Project should not be construed as a professional medical or public health opinion. These conclusions are merely a review of the geologic condition of the Project site relative to potential presence of sediments known to contain asbestos-containing fibers.

Sensitive Receptors

SJVAPCD identifies a sensitive receptor as a location where human populations, especially children, senior citizens, and sick persons, are present, and where there is a reasonable expectation of continuous human exposure to pollutants, according to the averaging period for ambient air quality standards, such as 24-hour, 8-hour, or 1-hour periods. Examples of sensitive receptors include residences, hospitals, and schools. Industrial and commercial uses are not considered sensitive receptors. The Project Area covers 1,900 acres and is zoned for a variety of uses, including residential, commercial, administrative and professional, general manufacturing, and heavy industry. The Project does not result in Project-level development but rather programmatically facilities possible future development beyond the current time limits. Because individual Projects are not specified as part of the Project, a complete analysis of specific sensitive receptors is not provided here.

The Project Area currently contains a number of schools: 1) Center for Professional Development, 2) Valley Arts and Science Academy, 3) Lowell Preschool 4) Lowell Elementary School, 5) Childtime Learning Center, 6) Yokomi Preschool, 7) Yokomi Elementary School, 8) Tehipite Middle School, 9) Jefferson Preschool, 10) Jefferson Elementary School, 11) Sanctuary, 12) Cesar E. Chavez Adult Education, 13) W.E.B. Dubois Public Charter School, 14) Fresno Special Education, and 15) Fresno County Special Education (Google Earth 2009). There are also a few medical facilities located within the Project Area: 1) Community Medical Centers: Emergency Department, 2) Community Mothers Resource Center, and 3) Fresno Dental Surgery Center (Google Earth 2009). There are also residents within the Project Area that could be considered sensitive receptors. The 1998 EIR acknowledges that future development in the Project Area would result in construction- and operations-related air quality impacts that could affect sensitive receptors. The Project was included as part of the current General Plan analysis and has been addressed by the current General Plan for sensitive receptors. Future development as a result of the Project must be consistent with the current General Plan and future General Plan updates. Therefore, the Project would not have a new or more severe effect in exposing sensitive receptors to substantial pollutant concentrations.

Future development could potentially bring sensitive receptors to the area, expose sensitive receptors already within the area, or expose sensitive receptors nearby but outside the Project area to TACs. Each future development proposal within the Project Area would have to undergo a separate Project-level CEQA analysis to obtain necessary discretionary approval and would have to conform to all current SJVAPCD, CARB and EPA requirements as pertains to sensitive receptors and TACs as part of the analysis. Mixed-use development could be a part of the future development within the Project Area and, if necessary, future development would have to conform to the SJVAPCD's TACs regulation, including the development of a Health Risk Assessment (HRA), if determined necessary for a future development. A complete description of the specific health effects of individual TACs can be found in *ARB Almanac, Chapter 5: Toxic Air Contaminant Emissions, Air Quality and Health Risk* (California Air Resources Board 2009a). A brief overview of California regulations regarding TACs is provided below.

California also regulates TACs, which are a class of airborne pollutants similar to the federal hazardous air pollutants. California's air toxics control program began in 1983 with the passage of the Toxic Air Contaminant Identification and Control Act, better known as AB 1807 or the Tanner Bill. The Tanner Bill established a regulatory process for the scientific and public review of individual toxic compounds. When a compound becomes listed as a TAC under the Tanner process, CARB normally establishes minimum statewide emission control measures to be adopted by local APCDs. By 1992, 18 of the 189 federal HAPs had been listed by CARB as state TACs. Later legislative amendments (AB 2728) required CARB to incorporate all 189 federal HAPs into the state list of TACs.

The second major component of California's air toxics program that supplements the Tanner process was provided by the passage of AB 2588, the Air Toxics "Hot Spots" Information and Assessment Act of 1987. AB 2588 currently regulates over 600 air compounds, including all of the Tanner-designated TACs. Under AB 2588, specified facilities must quantify emissions of regulated air toxics and report them to the local Air Pollution Control District (APCD). If the APCD determines that a potentially significant public health risk is posed by a given facility, the facility is required to perform a HRA and notify the public in the affected area if the calculated risks exceed specified criteria.

On August 27, 1998, CARB formally identified particulate matter emitted by diesel-fueled engines as a TAC. Diesel engines emit TACs in both gaseous and particulate forms. The particles emitted by diesel engines are coated with chemicals, many of which have been identified as HAPs by EPA and as TACs by CARB. Since by weight, the vast majority of diesel exhaust particles are very small (94% of their combined mass consists of PM_{2.5}), both the particles and their coating of TACs are inhaled into the lungs. While the gaseous portion of diesel exhaust also contains TACs, CARB's August 1998 action was specific to diesel particulate emissions, which, according to supporting CARB studies, represent 50 to 90% of the mutagenicity (ability to cause mutations) of diesel exhaust (California Air Resources Board 1998). Diesel particulates are generally

used as a surrogate to identify potential health risks from diesel emissions (San Joaquin Valley Air Pollution Control District 2007a). The 1998 ruling prompted CARB to begin searching for means to reduce diesel particulate matter emissions. In September 2000, CARB approved the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (Diesel Risk Reduction Plan) (California Air Resources Board 2000). The Diesel Risk Reduction Plan outlines a comprehensive and ambitious program that includes the development of numerous new control measures over the next several years aimed at substantially reducing emissions from new and existing on-road vehicles (e.g., heavy-duty trucks and buses), offroad equipment (e.g., graders, tractors, forklifts, sweepers, and boats), portable equipment (e.g., pumps), and stationary engines (e.g., stand-by power generators).

Health Risk Assessment

A HRA is a comprehensive analysis that evaluates and predicts the dispersion of hazardous substances in the environment and the potential to expose human populations to these substances (San Joaquin Valley Air Pollution Control District 2006). Various computer modeling techniques are used to estimate concentration and exposure levels at distances from a pollutant source. The SJVAPCD uses HRAs for: 1) permitting – to ensure potential emissions are below the District’s threshold 2) CEQA compliance – to evaluate and disclose all potential sources of emissions from a proposed project 3) AB 2588 compliance – to evaluate actual emissions from sources that are of concern. Future development proposals within the Merged Redevelopment Plan boundaries would be required to undergo separate CEQA analysis from this EIR. The SJVAPCD does not perform CEQA type HRAs directly but provides guidance to third parties conducting the analysis for CEQA documents. If the APCD determines that a potentially significant public health risk is posed by a given facility, the facility is required to perform a health risk assessment and notify the public in the affected area if the calculated risks exceed specified criteria. As part of CEQA analysis, individual development Projects within the Merged Fresno Redevelopment Area would quantify emissions of TACs and determine if a full HRA is required at that time. The Project does not specify individual Projects or land uses, only extensions of time and financial limits associated with the Redevelopment Plan, and therefore, emissions of TACs cannot be calculated explicitly for the Project.

Existing Conditions at Project Site

The Project site encompasses 1,900 acres within the City’s central urban core. Current and future land uses within the Project Area can impact air quality. Areas within the Project Area are currently designated within the General Plan for the following uses: commercial, commercial/mixed use level 1, commercial/mixed use level 2, Freeway, Heavy Industrial, Light Industrial, Open Space, Public Facility, Railroad, and Residential. Air quality monitoring data

from CARB monitoring stations located closest to the Project Area (First Street; Drummond Street; Sierra Skypark; and Hamilton) are summarized in Tables 3A-4 through 3A-15 for the monitoring period 2006-2008 in comparison to the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), as appropriate. Data for all criteria pollutants at each individual monitoring station was often not available.

For informational purposes, monitoring station data from 1998 (when available), the year of certification of 1998 EIR, is also provided in Tables 3A-4 through 3A-15 below. A discussion of the conditions in the Project Area since 1998 is provided in the next section.

Table 3A-4. Background Ambient Air Quality Monitoring Data – Ozone

CARB Air Monitoring Station	Number of Days Exceeding 8-Hour NAAQS ^a (0.075 ppm)			Number of Days Exceeding 1-Hour CAAQS (0.09 ppm)			Maximum 1-Hour Concentration (ppm)		
	2006	2007	2008	2006	2007	2008	2006	2007	2008
Fresno – First Street	69	37	62	45	14	44	0.138	0.119	0.157
Fresno – Drummond St.	21	9	20	11	2	19	0.121	0.110	0.124
Fresno-Sierra Skypark	54	18	39	31	6	19	0.129	0.105	0.138

Source: California Air Resources Board 2009b.

^a Federal 1-hour ozone standard was revoked in 2005. The 8-hour standard is presented here.

Table 3A-5. 1998 Background Ambient Air Quality Monitoring Data – Ozone

CARB Air Monitoring Station	Number of Days Exceeding 1-Hour NAAQS ^a	Number of Days Exceeding 1-Hour CAAQS	Maximum 1-Hour Concentration (ppm)
	1998	1998	1998
Fresno – First Street	15	46	0.151
Fresno – Drummond St.	8	49	0.148
Fresno-Sierra Skypark	13	53	0.156

Source: California Air Resources Board 2009b.

^a Federal 1-hour ozone standard was revoked in 2005.

Table 3A-6. Background Ambient Air Quality Monitoring Data – PM10

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (150 µg/m ³) ^a			Days Exceeding CAAQS 24- hour (50 µg/m ³)			Maximum Concentration (µg/m ³)		
	2006	2007	2008	2006	2007	2008	2006	2007	2008
Fresno – First Street	0	0	0	13	9	15	122.0	102.0	78.3
Fresno – Drummond St.	0	0	0	16	10	21	139.0	93.0	99.5

Source: California Air Resources Board 2009b.

Table 3A-7. 1998 Background Ambient Air Quality Monitoring Data – PM10

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour	Days Exceeding CAAQS 24- hour	Maximum Concentration (µg/m ³)
	1998	1998	1998
Fresno – First Street	0	14	140.0
Fresno – Drummond St.	0	13	141.0

Source: California Air Resources Board 2009b.

Table 3B-8. Background Ambient Air Quality Monitoring Data – PM2.5

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (35.0 µg/m ³) ^a			Annual Arithmetic Mean NAAQS (not to exceed 15 µg/m ³)			Annual Arithmetic Mean CAAQS (not to exceed 12 µg/m ³) ^a			Maximum 24-Hour Concentration (µg/m ³)		
	2006	2007	2008	2006	2007	2008	2006	2007	2008	2006	2007	2008
Fresno – First Street	34	64	50	16.8	18.8	17.4	21.2	22.3	21.2	88.1	104.0	93.0
Fresno–Hamilton and Winery	13	16	11	17.6	16.8	16.5	NR	16.8	16.5	87.0	65.1	46.6

Source: California Air Resources Board 2009b.

^a State and National averages may differ due to different sampling equipment and data processing protocols.

NR = not reporting, insufficient data available

Table 3A-9. 1998 Background Ambient Air Quality Monitoring Data – PM2.5

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (35.0 µg/m ³) ^a	Annual Arithmetic Mean CAAQS (not to exceed 23 µg/m ³) ^b	Maximum 24-Hour Concentration (µg/m ³)
	1999 ^a	1999	1999
Fresno – First Street	65	23.4	136.0

Source: California Air Resources Board 2009b.

^aThe NAAQS 24-hour threshold was not established until 2006. Exceedence days are compared against the 2006 threshold.

^b PM2.5 monitoring data is not available prior to 1999.

Table 3A-10. Background Ambient Air Quality Monitoring Data – CO

CARB Air Monitoring Station	Number of Days Exceeding NAAQS (8 hour >9.0 ppm)			Number of Days Exceeding CAAQS (8 hour >9.0 ppm)			Maximum 8-Hour Concentration		
	2006	2007	2008	2006	2007	2008	2006	2007	2008
	Fresno – First Street	0	0	0	0	0	0	3.20	2.60
Fresno – Drummond St.	0	0	0	0	0	0	3.31	2.37	2.14
Fresno-Sierra Skypark	0	0	0	0	0	0	2.08	1.39	1.03

Source: California Air Resources Board 2009b.

Table 3A-11. 1998 Background Ambient Air Quality Monitoring Data – CO

CARB Air Monitoring Station	Number of Days Exceeding NAAQS	Number of Days Exceeding CAAQS (8 hour >9.0 ppm)	Maximum 8-Hour Concentration
	1998	1998	1998
Fresno – First Street	0	0	5.88
Fresno – Drummond St.	0	0	4.44
Fresno-Sierra Skypark	0	0	2.61

Source: California Air Resources Board 2009b.

Table 3A-12. Background Ambient Air Quality Monitoring Data – NO_x

CARB Air Monitoring Station	National Annual Average (not to exceed 0.053 ppm)			Number of Days Exceeding CAAQS (1 hour 0.18 ppm)			Maximum 1-Hour Concentration		
	2006	2007	2008	2006	2007	2008	2006	2007	2008
Fresno – First Street	0.017	0.017	0.016	0	0	0	0.076	0.086	0.070
Fresno – Drummond St.	0.017	0.016	0.015	0	0	0	0.072	0.067	0.076
Fresno-Sierra Skypark	0.011	0.010	0.008	0	0	0	0.062	0.056	0.056

Source: California Air Resources Board 2009b.

Table 3A-13. 1998 Background Ambient Air Quality Monitoring Data – NO_x

CARB Air Monitoring Station	National Annual Average (ppm)	Maximum 1-Hour Concentration (ppm)
	1998	1998
Fresno – First Street	0.20	0.112
Fresno – Drummond St.	0.20	0.088
Fresno-Sierra Skypark	0.0160	0.075

Source: California Air Resources Board 2009b

Table 3A-14. Background Ambient Air Quality Monitoring Data – SO_x

CARB Air Monitoring Station	Annual Average (ppm)			Maximum 24-Hour Concentration) CAAQS (not to exceed 0.04 ppm)		
	2006	2007	2008	2006	2007	2008
Fresno – First Street	NR	0.007	0.10	NR	0.067	0.030

Source: California Air Resources Board. 2009b

Note: Only state data available.

NR= not reporting

Table 3A-15. 1998 Background Ambient Air Quality Monitoring Data – SO_x

CARB Air Monitoring Station	Annual Average (ppm)	Maximum 24-Hour Concentration CAAQS
	1997 ^a	1997
Fresno – First Street	0.000	0.003

Source: California Air Resources Board. 2009b
 Note: Only state data available.
^a Data only available for 1997, not 1998

As shown in the above tables, the federal and state CO and NO_x standards were not violated during the last 3 years; however, the state and federal ozone standards were violated, as well as the state 24-hour PM10 standard. Federal and state annual arithmetic mean standards for PM2.5 were also violated during the monitoring period. Monitoring for SO_x and lead has been discontinued due to the very low ambient concentrations of these compounds at the stations in the Project Area.

If a pollutant concentration is lower than the state or federal standard, the area is classified as in “attainment” for that pollutant. If a pollutant violates the standard, the area is considered a “non-attainment” area. If data are insufficient to determine whether a pollutant is violating the standard, the area is designated as “unclassified.” Attainment status for the SJVAB as a whole is listed for each criteria pollutant in Table 3A-2.

The Project does not result in project-level development, but rather programmatically facilitates possible future development beyond the current time limits. Any future development that results from the Project would be required to adhere to the CEQA process and thus would be required to fully assess local air quality impacts at that time.

1998 Conditions at Project Site

Air quality in the SJVAB and particularly the Fresno area is of great concern. As this Project proposes to update an existing EIR, certified in 1998, an understanding of the trends in air quality and regulation in the area is appropriate. Future development facilitated by the Project has the potential to increase concentrations of criteria pollutants for which the SJVAB is in nonattainment. A number of thresholds and standards have changed since the certification of the 1998 EIR. Monitoring data collected in 1998 at the Fresno air quality monitoring stations is presented along with current data in Tables 3A-4 through 3A-15. A qualitative discussion of the major rule changes and regional air quality trends in the area is provided here.

The 8-hour ozone levels, as measured at the Fresno First Street monitoring station (California Air Resources Board 2009b), have not dramatically decreased or increased since 1995. Although, the number of exceedence days above the state 1-hour ozone standard have decreased since 2003. During this time period, levels are consistently between 0.108 ppm and 0.132 ppm for the 8-hour average; however, the average concentration for the 5 year period 2003-2007 is lower than the average for the previous 5 years, 1998-2002. The highest annually averaged 8-hour ozone level is for the year 2008, 0.132 ppm. The region is in non-attainment by both the federal (0.075 ppm) and state (0.070 ppm) 8-hour standards. California has recently requested the EPA to change the 8-hour nonattainment status from “serious” to “extreme.” This reclassification, if approved, would require more stringent permitting and regulation as part of the updated State Implementation Plan (SIP) as well as alter the timeframe under which the region is expected to achieve attainment. On June 15, 2005, the EPA revoked the 1-hour ozone standard (0.012ppm), replacing it with the aforementioned 8-hour standard. On November 6, 1991, most areas of the country were designated nonattainment or unclassifiable/attainment areas for ozone. At the time of the certification 1998 EIR, the SJVAB was classified as “serious” nonattainment when measured against the 1-hour standard.

PM10 levels, as measured at the Fresno First Street monitoring station, (California Air Resources Board 2009b) show a slight decreasing trend during the period 1995 to 2007 for annually averaged measurements, although levels remained well above the current state annual average standard of $20 \mu\text{g}/\text{m}^3$. The average for the period 1995-2000 was $40.5 \mu\text{g}/\text{m}^3$. The average for the period 2003-2008 was $33.7 \mu\text{g}/\text{m}^3$, a difference of roughly 16%. The SJVAB is currently classified as nonattainment for PM10 CAAQS and maintenance for PM10 NAAQS. In 2006, the NAAQS for annually averaged PM10 was revoked. Attainment for NAAQS is now based solely on the 24-hour threshold. In September of 2008, the EPA officially reclassified the SJVAB as attainment for PM10. This decision was based on 2003-2005 data and the decision to split the attainment jurisdiction into two portions, San Joaquin Valley PM10 region and East Kern PM10 region. In 1998, the region was nonattainment for PM10 according to both NAAQS and CAAQS. In 1998 the state PM10 standard was that the annual average was not to exceed $30 \mu\text{g}/\text{m}^3$. It was reduced to the current level of $20 \mu\text{g}/\text{m}^3$ in 2002 (California Air Resources Board 2008c). In 1998, the SJVAB was classified as “serious” nonattainment for PM10, the most severe classification for non-attainment areas under the federal system. In 1998, the SJVAB was classified as nonattainment according to CAAQS. This state classification remains unchanged.

Sustained measurements of PM2.5 began at the Fresno First Street monitoring station in 1999. Reported data since that time (California Air Resources Board 2009b), indicate that PM 2.5 levels in the Fresno area are consistently above both the annually averaged NAAQS ($15 \mu\text{g}/\text{m}^3$) and CAAQS ($12 \mu\text{g}/\text{m}^3$). Levels of PM 2.5 are consistently between 15 and $22 \mu\text{g}/\text{m}^3$, and the available data show neither an increasing nor decreasing trend. The federal PM 2.5 standard was established in 1997 and the SJVAB was classified as nonattainment shortly after that time (California Air Resources Board 2008c), although only the PM10

standards and status are addressed in the 1998 EIR. In 2002, the state established PM_{2.5} standard of not to exceed an annually averaged value of 12 µg/m³, which remains the standard. The SJVAB did not have a PM 2.5 classification in 1998.

The CAAQS for CO was established in 1969 at a level of not-to-exceed 20 ppm in 8 hours. This was further updated in 1970, 1982, and 1989 (California Air Resources Board 2008c). In 1998, the CAAQS for CO was not to exceed 9 ppm in 8 hours or 20ppm in 1 hour. This is still the state standard. In 1998, the Fresno-Clovis metropolitan area was classified as nonattainment for CO. At that time, the SJVAPCD had submitted a request to the EPA to reclassify the region as “attainment.” The region was reclassified shortly thereafter and has remained in attainment since that time.

The current state SO₂ standard was established in 1991 at a level of not-to-exceed 0.04 ppm in 24 hours. The SJVAPCD was not in violation of this standard in 1998 and is not in violation currently. The SJVAPCD was not in violation of NAAQS for SO₂ in 1998, and is not in violation currently.

Climate Change and Greenhouse Gas Emissions

This section presents information about statewide, national, and global GHG emissions. The characteristics, sources, and units used to quantify the six GHGs listed in AB 32 (discussed further below) are described: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). This section provides the context necessary to determine the potential impacts of the Project’s GHG emissions.

Climate Change: Environmental Setting

Global climate change refers to a collection of large-scale changes to global atmospheric composition and circulation, ocean circulation, global snow and ice cover, precipitation patterns and biological distributions and processes that are induced through a warming of the Earth’s atmosphere. The earth’s atmosphere is naturally warmed through a process known as the greenhouse effect. However, this effect can be enhanced through the addition of GHGs to the atmosphere by human activities. Certain gases naturally present in the Earth’s atmosphere, CO₂, water (H₂O), CH₄, N₂O, ozone (O₃), and certain fluorocarbons, are effective absorbers of infrared radiation (heat energy) that constantly radiates outward from Earth’s surface to space. These gases absorb heat energy that would otherwise escape to space, warming the lower atmosphere. Earth’s surface would be roughly 60⁰ F cooler if GHGs were not present in the atmosphere, rendering the planet inhospitable to life.

During the last 50 years, increasing scientific focus and general public concern over environmental deterioration has brought broad public awareness to the fact

that changes to the climate system are occurring more rapidly than would be expected due to natural processes. In 1988, The World Meteorological Organization (WMO) and United Nations Environment Program (UNEP) established the Inter Governmental Panel on Climate Change (IPCC), a scientific body that reviews and assesses, through a rigorous and balanced process, the most recent scientific, technical, and socio-economic research produced worldwide relevant to climate change. The IPCC reports are considered by the scientific community, national governments, and regulatory entities worldwide as the definitive word on the state of knowledge regarding climate change, its potential impacts, and options for adaptation and mitigation. The IPCC released the Fourth Scientific Assessment on Climate Change in 2007 (Inter Governmental Panel on Climate Change 2007a), stating that “warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level” (Solomon 2007). The most recent IPCC assessment predicts substantial increases in global temperatures of between 1.1⁰ to 6.4⁰ Celsius (C) (depending on scenario) before 2100 (Solomon 2007).

The IPCC report further concluded that most of observed increase in global average temperature during the latter half of the twentieth century is very likely due to the rise in anthropogenic GHGs during that same time (Solomon 2007). Levels of GHGs, in particular CO₂, in Earth’s atmosphere have been increasing rapidly since roughly the year 1800 (Solomon 2007) due to the burning of fossil fuels. Emissions of GHGs in excess of natural ambient concentrations are responsible for the enhancement of the greenhouse effect, a trend of unnatural warming of the earth’s natural climate commonly called “global warming.” Rapid warming of the Earth’s atmosphere and oceans has been observed in all regions of the globe (Solomon 2007).

Worldwide, California is the 17th largest emitter of CO₂ (California Energy Commission 2006), and is responsible for approximately 2% of the world’s CO₂ emissions (California Energy Commission 2006). In 2004, California emitted roughly 500 million metric tons of CO₂. Of this total, 41% is due to transportation, 22% due to electric power generation, 21% due to industry, and the remaining 16% due to agriculture, forestry, and other sources. Although California has the second highest emissions when compared to other U.S. states, it has one of the lowest per capita emission rates. Emissions of CO₂ and N₂O are byproducts of fossil fuel combustion, among other sources. Methane, a highly potent GHG, results from off-gassing associated with agricultural practices and landfills, among other sources. Sinks of CO₂ include uptake by vegetation and dissolution into the ocean.

Recent studies sponsored by the California Energy Commission (California Energy Commission 2009) and U.S. Global Change Research Program (US Global Change Research Program 2009) have examined the potential impacts expected in California due to climate change. These impacts include:

- rising sea levels along the California coastline, particularly in San Francisco and the San Joaquin Delta due to ocean expansion and melting glaciers;

- extreme-heat conditions, such as heat waves and very high temperatures, which could last longer and become more frequent;
- an increase in heat-related human deaths, infectious diseases, and a higher risk of respiratory problems caused by deteriorating air quality;
- reduced snow pack and stream flow in the Sierra Nevada mountains, affecting winter recreation, water supplies and hydro-electric power potential;
- potential increase in the severity of winter storms, affecting peak stream flows and flooding;
- changes in growing season conditions that could affect California agriculture, causing variations in crop quality and yield;
- changes in distribution of plant and wildlife species due to changes in temperature, competition from colonizing species, changes in hydrologic cycles, changes in sea levels, and other climate-related effects.
- increased fire frequency and associated impacts on regional air quality and human health

These changes in California's climate and ecosystems could be occurring at a time when California's population is expected to increase from 34 million to 59 million by the year 2040 (Department of Finance 2007). As such, the number of people potentially affected by climate change and the amount of anthropogenic GHGs emissions expected under a "business as usual" scenario are expected to increase. Similar changes as those noted above for California would also occur in other parts of the world with regional variations in resources affected and vulnerability to adverse effects.

Primary climate change impacts of concern in the Central Valley include: increased frequency and duration of heat wave conditions; higher average summer temperatures; drier conditions due to increased evaporation, decreased southern California rainfall and decreased water supplies from the Sierra Nevada snowpack; decreases in the yield of certain crops; and increases in fire frequency (CCAT 2009); changes in productivity of managed forests; reduced water resources statewide; potentially decreased residential energy resources; deterioration in air quality due to increased temperatures, aridity and fire frequency; and public health impacts associated with all of the above (Climate Action Team 2009).

GHGs are effectively well-mixed globally and persist in the atmosphere for 100 years or more—time periods several orders of magnitude longer than criteria pollutants such as ozone. Climate change is a global problem, and GHGs are global emissions, unlike criteria air pollutants (such as ozone precursors) and TACs, which are pollutants of regional and local concern. Unlike criteria pollutants, levels of GHGs at a particular locale may not decrease significantly in response to local controls of GHG emissions. Given their long atmospheric lifetimes, GHGs emission reduction strategies can be effectively undertaken on a global scale whereby local GHGs emissions can be mitigated by GHGs

reductions that occur elsewhere. The long atmospheric lifetime, effective dispersal, and inherently cumulative nature of GHGs emissions complicates the regulatory approach to these emissions, as is discussed below. Consequently, the regulatory framework for GHGs is still developing at international, national, state, and local levels.

The characteristics, sources, and units used to quantify the six gases listed in AB 32 are documented in this section, in order of abundance in the atmosphere. Water vapor, although the most abundant GHG, is not included because natural concentrations and fluctuations far outweigh anthropogenic influences. Although some recent literature has suggested that “black carbon,” which is a component of soot, should be included in analysis of GHGs, black carbon is not included in this analysis. However, it could be included in future CEQA analysis for future development within the Project Area, if deemed appropriate. Inclusion of black carbon in CEQA air quality analyses is not precluded by CEQA guidelines, but due to the effectiveness of controls on particulate matter (of which black carbon is one component) in the United State, it is not current practice. Black carbon is generally associated with emissions-producing activities in developing countries that do not have regulations in place for the control of particulate matter (Inter Governmental Panel on Climate Change 2007a). Because the SJVAB is in nonattainment for PM, future development facilitated by the Project would likely involve substantial PM control measures, and black carbon as controlled via these measures, would not create meaningful climate change impacts. In addition, substantial uncertainties exist regarding the actual global warming potential of black carbon. These uncertainties are even larger when considered at the local or regional scale. Finally, black carbon is not treated as a GHG in existing climate change legislation, including AB 32.

In order to simplify reporting and analysis, methods have been set forth to describe emissions of GHGs in terms of a single gas. The most commonly accepted method to compare GHG emissions is the “global warming potential” methodology defined in the Intergovernmental Panel on Climate Change reference documents (Solomon 2007). The Intergovernmental Panel on Climate Change defines the global warming potential of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of carbon dioxide equivalents (CO₂e), which compares the gas in question to that of the same mass of CO₂ over a specified timeframe (CO₂ has a global warming potential of 1 by definition). For example, a high global warming potential represents high infrared absorption and long atmospheric lifetime when compared to CO₂. One must also select a time horizon to convert GHG emissions to equivalent CO₂ emissions to account for chemical reactivity and lifetime differences between various types of GHGs. The standard time horizon for climate change analysis is 100 years. GHGs generally have long atmospheric lifetimes, and a 100-year horizon provides an accurate and effective timeframe for analyzing their impacts. Generally, GHGs emissions are quantified in terms of metric tons of CO₂ equivalent emitted per year (one metric ton equals about 1.1 American tons.)

Collectively, HFCs, PFCs, and SF₆ are referred to as high global warming potential gases. CO₂ is by far the largest component of worldwide CO₂e

emissions, followed by CH₄ and N₂O. Table 3A-16 lists the anthropogenic contribution of individual GHGs to the global budget of all GHG emissions in 2004. Table 3A-17 lists the atmospheric lifetimes and relative global warming potential of important GHGs (Inter Governmental Panel on Climate Change 2007b).

Table 3A-16. Contribution of Individual GHGs to Total Global Emissions in 2004

GHG	% of 2004 Total Emissions
CO ₂ (fossil fuel combustion)	56.6 %
CO ₂ (deforestation)	17.3%
CH ₄	14.3%
N ₂ O	7.9%
F- containing gases	1.1%

Source: Inter Governmental Panel on Climate Change 2007b.

Table 3A-17. Atmospheric Lifetimes and Global Warming Potential of Major GHGs

GHG	Global Warming Potential (relative to CO ₂)	Atmospheric Lifetime (years)
CO ₂	1	50-200 ^a
CH ₄	21	9-15
N ₂ O	310	120
HFC-23	11,700	264
HFC-134a	1,300	14.6
HFC-152a	140	1.5
CF ₄	6,500	50,000
C ₂ F ₆	9,200	10,000
SF ₆	23,900	3,200

Source: Inter Governmental Panel on Climate Change 2007b.

Carbon Dioxide

According to Table 3A-16, Carbon dioxide accounts for nearly 74% of all anthropogenic GHG emissions (Inter Governmental Panel on Climate Change 2007b). Increasing concentrations of CO₂ in the atmosphere are primarily a

result of emissions from the burning of fossil fuels, particularly for the generation of electricity and powering of motor vehicles, with land use change providing another significant, but smaller contribution (Inter Governmental Panel on Climate Change 2007b.). Anthropogenic emissions of CO₂ have increased concentrations in the atmosphere most notably since the industrial revolution; the concentration of CO₂ has increased from about 280 ppm to 379 ppm over the last 250 years (Inter Governmental Panel on Climate Change 2007b).

Methane

Methane, the main component of natural gas, is the second largest contributor to anthropogenic GHG emissions and has a global warming potential of 21 (Association of Environmental Professionals 2007). The primary anthropogenic source of methane emissions is agricultural activities such as rice production and cattle farming, as well as combustion of natural gas and coal mining (National Oceanic and Atmospheric Administration 2005). Atmospheric methane has increased from a pre-industrial concentration of 715 ppb to 1,774 ppb in 2005 (Inter Governmental Panel on Climate Change 2007b).

Nitrous Oxide

Nitrous oxide is a powerful GHG, with a global warming potential of 310 (Inter Governmental Panel on Climate Change 2007b). The largest source of anthropogenic N₂O emissions is agricultural activity (Inter Governmental Panel on Climate Change 2007b). Nitrous oxide concentrations in the atmosphere have increased from preindustrial levels of 270 parts per billion to 319 parts per billion in 2005 (Inter Governmental Panel on Climate Change 2007b).

Hydrofluorocarbons

Hydrofluorocarbons are man-made chemicals used in commercial, industrial, and consumer products and have high global warming potentials. HFCs are generally used as substitutes for ozone depleting substances in automobile air conditioners and refrigerants. The most abundant HFCs, in order from most abundant to least, are HFC-134a (35 ppt), HFC-23 (18 ppt), and HFC-152a (3.9 ppt) (Solomon 2007).

Perfluorocarbons

The most abundant PFCs include tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). These man-made chemicals are emitted largely from aluminum production and semiconductor manufacturing processes. PFCs are extremely stable compounds that are only destroyed by very high energy ultraviolet rays,

which result in the very long lifetimes of these chemicals, ranging from 800 to 4,100 years (Solomon 2007).

Sulfur Hexafluoride

Sulfur hexafluoride (SF₆), another man-made chemical with a very high global warming potential, is used as an electrical insulating fluid for power distribution equipment, in the magnesium industry, in semiconductor manufacturing, and also as a trace chemical for study of oceanic and atmospheric processes. Atmospheric concentrations have increased from roughly 4.1 ppt in 1998 to 5.6 ppt in 2007 (Solomon 2007).

Greenhouse Gas Inventories

A GHG inventory is a quantification of all GHG emissions and sinks (a sink is a pool or reservoir that absorbs or takes up released GHG, such as carbon) within a selected physical and/or economic boundary. GHG inventories can be performed on a large scale (i.e., for global and national entities) or on a small scale (i.e., for a particular building or person).

GHG emission and sink specifications are complicated by the fact that natural processes may dominate the carbon cycle. Though some emission sources and processes are easily characterized and well understood, other components of GHG budget may not be known with accuracy. As such, GHG protocols are currently under development and ad-hoc tools must be developed to quantify emissions from certain sources and sinks.

The following sections outline the global, national, and statewide GHG inventories to put into context the relative magnitude of the Project-related emissions.

Intergovernmental Panel on Climate Change Inventory

The Intergovernmental Panel on Climate Change was established by the World Meteorological Organization and United Nations Environment Programme to assess scientific, technical, and socioeconomic information relevant to the understanding of climate change, its potential impacts, and options for adaptation and mitigation (Inter Governmental Panel on Climate Change 2007b). In the 2007 Intergovernmental Panel on Climate Change Synthesis Report, global anthropogenic GHG emissions were estimated to be 49,000 million metric tons (MMT) of CO₂e in 2004, which is 70% above 1970 emissions levels. CO₂ contributed to 76.7% of total emissions; CH₄ accounted for 14.3%; N₂O contributed 7.9% of total emissions; and fluorinated gases (HFCs, PFCs, and SF₆) contributed to the remaining 1.1% of global emissions in 2004. Energy supply was the sector responsible for the greatest amount of GHG emissions

(25.9%), followed by industry (19.4%), forestry (17.4%), agriculture (13.5%), and transport (13.1%) (Inter Governmental Panel on Climate Change 2007b).

EPA National GHG Inventory

The EPA estimates that total U.S. GHG emissions for 2007 amounted to 7,150 MMT of CO₂ equivalent, which is 17.0% greater than 1990 levels (U.S. Environmental Protection Agency 2009b). U.S. GHG emissions were responsible for roughly 20% of global GHG emissions in 2006 (U.S. Environmental Protection Agency 2009b). Table 3A-18 illustrates the contribution of each GHG to total U.S. GHG emissions in 2004, based on CO₂ equivalent. The largest contributors to U.S. GHG emissions in 2004 by economic sector were the electric industry (34%); transportation (28%), and the industrial sector (20%) (U.S. Environmental Protection Agency 2009b).

Table 3A-18. Total U.S. GHG Emissions in 2004

Gas	Emissions (million metric tons)	% of total 2007 U.S. Emissions in CO ₂ e
CO ₂	6103.4	85.4%
CH ₄	585.3	8.2%
N ₂ O	311.9	4.4%
HFCs	125.5	1.7%
PFCs	7.5	0.1
SF ₆	16.5	0.2

Source: U.S. Environmental Protection Agency 2009b.

California Statewide GHG Inventory

The California Energy Commission’s “Inventory of Greenhouse Gas Emissions and Sinks: 1990–2006” estimates that California is the second largest emitter of GHG emissions of the U.S. by state but among the lowest on a per capita or per unit of economic output basis. The commission estimates that in 1990, California’s gross GHG emissions amounted to between 425 and 452 million metric tons of CO₂e. The California Energy Commission estimated that in 2004, California’s gross GHG emissions were 492 MMT of CO₂e. The transportation sector produced approximately 40.7% of California’s GHG emissions in 2004. Electric power production accounted for approximately 22.2% of emissions, the industrial sector contributed 20.5% of the total, agriculture and forestry contributed 8.3%, and other sectors contributed 8.3% (California Air Resources Board 2009c).

CARB recently released revised estimates of California’s 1990 and 2004 emissions, now estimating that 1990 emissions amounted to 427 million metric

tons of CO₂e and 2004 emissions levels were 484 million metric tons of CO₂e (California Air Resources Board 2009c).

Applicable Regulations

This section discusses applicable regulations and regulatory concerns related to air quality and climate change. The Project is located in the City, Fresno County, and within the SJVAB. The SJVAPCD has jurisdiction over air quality issues throughout the Fresno County as well as all of Tulare, Kings, Kern, Madera, Merced, Stanislaus, and San Joaquin Counties. SJVAPCD administers air quality regulations developed at federal, state, and local levels. Federal, state, and local air quality regulations applicable to the Project are described below followed by a discussion of the evolving regulatory framework for climate change.

Air Quality Regulations

Federal Air Quality Requirements

The federal Clean Air Act (CAA), enacted in 1970 and amended twice thereafter (including the 1990 amendments), establishes the framework for modern air pollution control. At the federal level, EPA has been charged with implementing national air quality programs. EPA's air quality mandates are drawn primarily from the CAA. The EPA established national ambient air quality standards (NAAQS) for criteria pollutants (see Table 3A-2). Federal criteria pollutants, discussed previously, include O₃, NO₂, SO₂, CO, PM₁₀, PM_{2.5}, and lead. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions). The SIP is the mechanism through which the EPA and state and local jurisdictions work together to reduce criteria pollutant concentrations in regions of nonattainment. EPA must approve the SIP and allow for public comment before its adoption. The California SIP is divided according to air district jurisdictional boundaries and the EPA can approve portions of the SIP individually as the air district requires. A discussion of actions relevant to federal attainment status in the SJVAB and associated plans is provided below.

State Air Quality Requirements

Responsibility for achieving CAAQS, which are in many cases more stringent than federal standards, is placed on CARB and local air pollution control districts. State standards are to be achieved through district-level air quality management plans, called "clean air plans." These clean air plans are to be

updated every 3 years, and they represent the state's strategy for attaining the CAAQS.

The California Clean Air Act (CCAA) requires local and regional air pollution control districts that are not in attainment for one or more of the state ambient air quality standards for criteria pollutants to adopt plans specifically designed to attain the standard. Each plan developed by a local control district must be designed to achieve an annual 5% reduction in district-wide emissions of each non-attainment pollutant or its precursors. CARB is responsible for developing plans and Projects that achieve compliance with the state PM10 standards.

Although there are state ambient standards for lead, sulfates, vinyl chloride, and H₂S, the CCAA does not require that a plan be developed for these criteria pollutants because they are not a problem in the state.

CARB oversees the activities of the local air districts but does not issue permits for stationary sources of air pollutants, which is the responsibility of each of the districts. CARB has the authority for setting vehicle emissions standards for on-road vehicles and for some off-road vehicles. In addition, CARB identifies and sets control measures for toxic air contaminants.

Role of the SJVAPCD: Implementation of Federal and State Requirements

SJVAPCD is responsible for establishing and enforcing local air quality rules and regulations in an effort to advance attainment in the Valley for CAAQS and NAAQS. Plans for reducing pollutant levels to below the national or state standards are approved by the CARB or the EPA, but carried out by the SJVAPCD. At the local level, responsibilities of air districts include overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by CEQA.

The SJVAB is currently in nonattainment for O₃, PM₁₀, and PM_{2.5}. The District has developed plans to attain state and federal standards for ozone and particulate matter. The District's air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control methods have worked, and to show how air pollution will be reduced. The plans also use computer modeling to estimate future levels of pollution and make sure that the Valley will meet air quality goals on time. The air quality plans for demonstrating attainment are evolving documents that are updated triennially to reflect the changing population, economic, land use, and transportation conditions in the San Joaquin Valley. If the attainment status of the air basin changes the plan would also necessarily be updated. Three plans were approved in 2007-2008 for the SJVAB:

2007 Ozone Plan

Adopted on April 30, the 2007 Ozone Plan (San Joaquin Valley Air Pollution Control District 2007b), which calls for a 75% reduction in ozone-forming oxides of nitrogen emissions and was approved by the CARB in June 2007. These reductions come on the heels of past successful efforts in the San Joaquin Valley that have already reduced ozone precursor emissions by nearly 50%. Proposed regulatory measures for mobile and stationary sources will reduce NO_x emissions by an estimated 61% by year 2023. The remaining 14% would come from incentives and the deployment of advanced technologies. In addition to the reductions in NO_x emissions, full implementation of this plan will reduce VOCs emissions by 25% through regulatory measures. Under this plan, all proposed measures would be adopted before 2012. Additional measures requiring technology advancement or new incentive funding will also be adopted and implemented as they become available.

Supporting modeling analyses for the 2007 Ozone Plan Project the entire Valley achieving attainment of the 8-hour NAAQS by 2023. The plan also includes a Fast Track option for implementing new technologies and measures not included in the legally binding agreement, but which could produce real benefits that lead to attainment prior to the 2023 target.

2007 PM10 Plan

In 2007, the SJVAPCD sought reclassification under NAAQS as an attainment area. Data from 2003-2006 showed significant improvement in the Valley and EPA found that levels of PM10 in the region were below the national standard.

The 2007 PM10 Maintenance Plan and Request for Redesignation (PM10 Maintenance Plan) (San Joaquin Valley Air Pollution Control District 2007c), approved on September 21, 2007, assures that the Valley will continue to meet the PM10 standard and requests that EPA formally redesignate, or label, the Valley to attainment status. On April 5, 2008, EPA stated their intent to approve the PM10 Maintenance Plan.

2008 PM2.5 Plan

The SJVAPCD Governing Board adopted the 2008 PM2.5 Plan on April 30, 2008 (San Joaquin Valley Air Pollution Control District 2008b). The strategies outlined in this plan will assure that the Valley attains the 1997 federal standard, the 2006 federal standard, and the state standard as soon as possible. Key elements of the plan include increased efforts to reduce direct emissions of PM2.5 in the Valley. Supporting analyses for the plan project attainment of the NAAQS by 2014. The CARB approved this plan and submitted it to the EPA on June 30, 2008.

Applicable San Joaquin Valley Air Pollution Control District Rules

The Project would be subject to all SJVAPCD rules and regulations. The Project does not result in project-level development but rather programmatically facilitates future development beyond the current time limits of the Constituent Redevelopment Plans. Each future development proposal within the Project Area would be subject to all SJVAPCD rules and regulations and would also undergo a separate project-level CEQA analysis at that time.

The rules and regulations of the SJVAPCD have been adopted by the SJVAPCD to reduce emissions throughout the San Joaquin Valley. The Project does not explicitly include construction or specific operations, but rather provides the opportunity and framework for future development. Future development occurring within the Project Area allowed through this Project would have to conform to SJVAPCD requirements as part of the analysis, including the development of feasible mitigation such as payment of mitigation fees, use of Tier II equipment, and entering into a Voluntary Emissions Reduction Agreement (VERA) contract.

A detailed discussion of key SJVAPCD rules and regulations that may be applicable to the redevelopment plan and subsequent development that the plan provides for follows. Note that some of the following rules and regulations apply at the development level. As a result, they are not directly applicable to the programmatic-level Project. We have included them in order to provide a comprehensive view of the regulatory environment.

Regulation II (Permits)

Regulation II (Rules 2010-2550) is a series of rules covering permitting requirements within the SJVAB. SJVAPCD regulations 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.

Regulation VIII (Fugitive PM₁₀ Prohibitions)

The Project does not identify specific developments, but rather provides the framework for future development within the Project Area. A significant source of particulate matter from future development is construction. All future development proposals would be required to estimate construction related PM emissions due to construction pursuant to CEQA, and future development would be subject to SJVAPCD rules aimed at curbing PM emissions.

The purpose of Regulation VIII is to reduce ambient concentrations of PM₁₀ by requiring actions to prevent, reduce, or mitigate human-made fugitive dust

emissions. Regulation VIII contains the following rules that would be applicable to future development programmatically facilitated by the Project:

- Rule 8021: Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities,
- Rule 8031: Bulk Materials,
- Rule 8041: Carryout and Trackout,
- Rule 8051: Open Areas,
- Rule 8061: Paved and Unpaved Roads, and
- Rule 8071: Unpaved Vehicle/Equipment Traffic Areas.

Rule 1060 (Land Use)

This rule requires that the Air Pollution Control Officer review and advise the appropriate planning authorities within the SJVAPCD on all new construction or changes in land use that the Air Pollution Control Officer believes could become a source of air pollution problems. This rule applies to any new or modified land use which emits or may emit air contaminants.

Rule 2201 (New and Modified Stationary Source Review)

This rule requires review of new and modified stationary sources of air pollution and provides mechanisms by which Authority to Construct permits may be granted. Rule 2201 prohibits increases of emissions above specified thresholds from new and modified stationary sources of all nonattainment pollutants and their precursors.

Rule 3135 (Dust Control Plan Fee)

This rule requires the applicant to submit a fee in addition to a Dust Control Plan. The purpose of this fee is to recover the SJVAPCD's cost for reviewing these plans and conducting compliance inspections.

Rule 4101 (Visible Emissions)

This rule prohibits the emissions of visible air contaminants to the atmosphere and applies to any source operation that emits or may emit air contaminants. Rule 4101 prohibits the discharge of any air contaminant that is as dark as or darker than 20% opacity for more than 3 minutes in 1 hour.

Rule 4102 (Nuisance)

This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the future development in the Project Area or construction occurring due to future development in the Project Area creates a public nuisance such that SJVAPCD receives complaints, it could be in violation and be subject to SJVAPCD enforcement action. All future development in the Project Area will be required to fulfill CEQA obligations and disclose anticipated nuisance conditions unique to the specific development.

Rule 4103 (Open Burning)

This rule regulates the burning of agricultural material. Rule 4103 explicitly states that agricultural material generated as a result of land use conversion from agriculture to nonagricultural purposes shall not be burned.

Rule 4201 (Particulate Matter Concentration)

This rule protects ambient air quality particulate standards. Rule 4201 applies to all sources that discharge dust, fumes, or total particulate matter. Discharges into the atmosphere from any single source operation may not exceed 0.1 grain per cubic foot.

Rule 4202 (Particulate Matter Emission Rate)

This rule protects ambient air quality particulate standards. Rule 4202 applies to all sources that emit or may emit particulate matter. Discharges into the atmosphere from any single source operation may not exceed the process weight-based limitations specified in the rule.

Rule 4306 (Boilers, Steam Generators and Process Heaters)

This rule requires all boilers and steam generators with a heat input rating greater than 5 million British thermal units (BTU) per hour to achieve certain exhaust limits for NO_x and CO. This rule was established in 2003 as part of the strategy for achieving ozone attainment.

Rule 4601 (Architectural Coatings)

This rule limits VOCs 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)

If asphalt paving will be used, paving operations will be subject to this rule. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt, and emulsified asphalt for paving and maintenance operations.

Rule 4661 (Organic Solvents)

This rule limits the emissions of VOCs from the use of organic solvents, and specifies reduction, monitoring, reporting, and disposal requirements. Sources that are subject to or specifically exempted by several other rules, including Rule 4601 (Architectural Coatings), are exempt from this rule.

Rule 4663 (Organic Solvent Cleaning, Storage and Disposal)

This rule includes restrictions on the types of solvents that may be used and restrictions on the organic content of solvents used for cleaning, especially for cleaning related to medical devices and pharmaceuticals.

Rule 4701 (Internal combustion Engines)

This rule limits the emissions of NO_x, CO, and VOCs from internal combustion engines. These limits are not applicable to standby engines as long as they are used fewer than 200 hours per year (e.g., for testing during non-emergencies).

Rule 4702 (Internal Combustion Engines)

This rule limits the emissions of NO_x, CO, and VOCs from spark-ignited internal combustion engines.

Rule 4901 (Wood burning fireplaces and wood burning heaters)

This rule limits emissions of carbon monoxide and particulate matter from wood burning fireplaces and wood burning heaters, and establishes a public education program to reduce wood burning emissions. Restricts sales and transfers of wood burning heaters, limits wood burning fireplaces or heaters in new residential developments, and prohibits certain fuel types. Specifically:

- No person shall install a wood burning fireplace in a new residential development with a density greater than two dwelling units per acre.

- No person shall install more than two EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three dwelling units per acre.
- No person shall install more than one wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two dwelling units per acre.
- No person shall sell or transfer any real property which contains a wood burning heater without first assuring that each wood burning heater included in the real property is EPA Phase II Certified, a pellet fueled wood burning heater, permanently rendered inoperable, or removed.

Rule 4902 (Residential Water Heaters)

This rule limits NO_x emissions from residential water heaters. It restricts natural-gas fired water heaters that emit more than 40 nanograms of NO_x per Joule of heat output, and requires certification and identification of water heaters. Exemptions to the rule include natural gas-fired water heaters with rated heat input of greater than 75,000 Btu per hour, water heaters using fuels other than natural gas; natural gas-fired heaters used exclusively to heat swimming pools or hot tubs; and water heaters used exclusively in recreational vehicles.

In addition to SJVAPCD rules, the SJVAPCD has identified several strategies for reducing emissions generated by indirect sources. These strategies include enhanced CEQA participation, encouragement of all cities and counties in the SJVAB to adopt an air quality element or air quality policies as part of their general plans, implementation of a new and modified indirect source review program, and use of Air Quality Emission Reduction Agreements/VERA (discussed more below). The SJVAPCD now actively reviews and comments on the CEQA documents prepared by lead agencies, and suggest mitigation measures to reduce air quality impacts.

AB 170 of 2003 requires cities and counties in the San Joaquin Valley to amend their general plans to include data and analysis, comprehensive goals, policies and feasible implementation strategies designed to improve air quality. The Air Quality Guidelines for General Plans, first adopted by the SJVAPCD in 1994 and revised in June 2005, is the primary means for implementing this strategy.

Indirect Source Mitigation Fee (Rule 9510, ISR, Rule 3180)

Indirect sources are land uses that attract or generate motor vehicles trips. Indirect source emissions are a source of many pollutants, principally PM₁₀, ROGs, and NO_x. The SJVAPCD included a requirement in the adopted 2003 PM₁₀ Plan to develop and implement an Indirect Source Rule (ISR). The Governing Board of the SJVAPCD approved Rule 9510 (Indirect Source Review) and Rule 3180 (Administrative Fees for Indirect Source Review) on December 15, 2005. The rules took effect on March 1, 2006. Rule 9510 is

intended to fulfill the SJVAPCD's emission reductions commitments in the PM10 and ozone attainment plans. The 2008 PM2.5 Plan (adopted after Rule 9510 was implemented) also relies upon the ISR to achieve the emissions reductions necessary to attain the standard. Supporting documentation on the development and implementation of the ISR program can be found through the SJVAPCD (<http://www.valleyair.org/rules/currnrules/r9510.pdf>).

The purpose of Rule 9510 is to reduce emissions of NO_x and PM10 from future development. The rule applies to development that seek to gain a discretionary approval, upon full buildout, will include any one of the following: 50 residential units; 2,000 square feet of commercial space; 25,000 square feet of light industrial space; 20,000 square feet of medical or recreational space; 39,000 square feet of general office space; 100,000 square feet of heavy industrial space; 9,000 square feet of educational space; 10,000 square feet of government space; or 9,000 square feet of any land use not identified above. Several sources are exempt from the rule, including transportation projects, transit projects, reconstruction projects that result from a natural disaster and development whose primary source of emissions are subject to SJVAPCD Rules 2201 and 2010, which address stationary sources. The emission reductions expected from the rule allow the SJVAPCD to achieve attainment of the federal air quality standards for ozone by 2023.

Any development that has a mitigated baseline of less than 2 tons per year for each of NO_x and PM10 is also exempted from the mitigation requirements of the rule. Developers are encouraged to reduce as much air pollution as possible through onsite mitigation, or incorporating air-friendly designs and practices into the development. Some examples include bike paths and sidewalks; traditional street design; medium-to-high density residential developments; locating near bus stops and bike paths; locating near different land use zones, such as commercial; and increasing energy efficiency. If these practices do not completely meet the required reductions (under the rule), new developments are required to mitigate the remainder of their emissions by contributing to a mitigation fund that would be used to pay for the most cost-effective projects to reduce emissions. Examples of such projects include retirement and crushing of gross polluting cars, replacement of older diesel engines and diesel-powered vehicles, and programs that would encourage the replacement of gas-powered lawnmowers with electric lawnmowers.

The ISR requires developers to reduce 20% of construction-exhaust NO_x, 45% of construction-exhaust PM10, 33% of operational NO_x over 10 years, and 50% of operational PM10 over 10 years.

Implementation of the Indirect Source Mitigation Fee on a basin-wide level is important because growth across the eight-county region would occur at different intensities. If the fee is adopted on a jurisdiction-by-jurisdiction basis, then any reduction achieved on a cumulative level by one jurisdiction could be canceled out by a faster-growing area without a mitigation fee.

Rule 9510 was challenged by the California Building Industry Association and other local groups. On March 25, 2008, the Fresno County Superior Court ruled in favor of the SJVAPCD. An appeal of that decision was filed on May 22, 2008. In a companion case in Federal Court, the National Association of Home Builders claimed Rule 9510 is preempted by federal tailpipe standards. On September 19, 2008, the U.S. District Court for the Eastern District of California rejected these claims. That decision has not been appealed.

Each future development proposal within the Project Area would have to undergo a separate CEQA review analysis that includes identification of appropriate mitigation measures when required. Future development can mitigate their emissions to less than significant levels through a VERA with SJVAPCD. The VERA is developed on a project-by-project basis after quantifying project-level emissions and approved and its implementation monitored by the SJVAPCD. If emissions are not mitigated to a level of zero “net” emissions increase and in the absence of a VERA, future development Projects would be subject to payment of emissions fees under Rule 9510.

Development Mitigation Contracts

A development mitigation contract (DMC) is an air quality mitigation measure by which a developer enters into a contractual agreement with the SJVAPCD to reduce a development Project’s impact on air quality beyond that achieved by compliance with District Rule 9510. Although the District calls this agreement a Voluntary Emission Reduction contract, if required in a mitigation measure, it is fully enforceable through the terms of the contract. The terms Voluntary Emission Reduction contract and DMC are the same program with slightly different names, and are used interchangeably throughout this document. Implementation of the DMC is comparable to ISR; project emissions are characterized, funds are paid to the SJVAPCD, and the SJVAPCD administers the funds to secure the required emission reduction projects. For projects subject to Rule 9510, the DMC must exceed the air quality benefits from compliance with ISR. Therefore, Project proponents that enter into a DMC are considered in compliance with District Rule 9510. Examples of emission reduction projects include retirement and crushing of gross polluting cars, replacement of older diesel engines and diesel-powered vehicles, and programs that would encourage the replacement of gas-powered lawnmowers with electric lawnmowers. The District’s 2007 Annual Report on its Indirect Source Review Program (April 30, 2007) includes the Projects and reductions from DMCs and VERAs totaling a reduction of 824.07 tons NO_x, 33.71 tons of PM₁₀, and 94.99 tons of ROG_s. The District’s 2008 annual report on its Indirect Source Review Program (June 19, 2008) identifies reductions attributable to Rule 9510 including DMC agreements for combined on- and offsite emission reductions totaling 2,078 tons of NO_x and 1,087 tons of PM₁₀.

Air Quality Conformity Designations for Transportation Plans and Programs

The CAA amendments of 1990 require a finding be made that any project, program, or plan subject to approval by a metropolitan planning organization conforms to air plans for attainment of air quality standards. Council of Fresno County Governments (Fresno COG) is designated the Regional Transportation Planning Agency and a Metropolitan Planning Organization for Fresno County. In that capacity, Fresno COG models air quality projections based on population projections in conjunction with current general plan designations and estimated vehicle miles in conjunction with the current Regional Transportation Plan (RTP) and the Federal Transportation Plan for Fresno County. These results are compared to pollutant budgets for each basin approved by EPA in the 1999 base year. Fresno COG makes conformity findings for each air basin. Because Fresno County does not currently meet the federally required standards for clean air, Fresno COG focuses on strategies for transportation management. Fresno COG works with SJVAPCD reduce pollution generated through current and future transportation practices. The requirement that projects within the region conform to the RTP developed by Fresno COG is one means of achieving this goal.

The 1998 EIR (Redevelopment Agency of the City of Fresno 1998) conformed to the then-current RTP. The extension of time and financial limits as outlined in the Project was considered in the General Plan and its amendments and, as such, conforms to the current RTP.

2025 Fresno General Plan

SJVAPCD, CARB, and EPA do not have any land use or development planning authority, both of which are connected to local air quality through the types of land use permitted and activity level of those use types. The SJVAPCD works with local jurisdictions to amend and augment general plans in order to improve air quality in the region. Air quality is managed through land use and development planning practices. These practices are implemented in the City through the General Plan and its related regulatory ordinances. The General Plan (City of Fresno 2002), adopted in November of 2002, contains goals, policies, objectives, and implementation measures that comprehensively address general conditions and site specific circumstances that may affect air quality. The City Council amended the air quality element of the General Plan on June 25, 2009 to comply with the requirements of AB 170. As discussed in the updated air quality element of the General Plan (City of Fresno 2009) broad objectives of the plan relevant to air quality are:

- pursue coordinated regional planning with Fresno and Madera Counties and the City of Clovis;
- preserve and revitalize neighborhoods, the downtown, and historical resources;

- support the Growth Alternatives Alliance “Landscape of Choice—Principles and Strategies” as based upon the Ahwahnee Group Principles, both of which are included in the [General Plan] Appendix;
- coordinate land uses and circulation systems to promote a viable and integrated multi-modal transportation network;
- manage growth to balance Fresno’s urban form while providing an adequate public service delivery system which is fairly and equitably financed;
- provide activity centers and intensity corridors within plan areas to create a mix of land uses and amenities to foster community identity and reduce travel;
- protect, preserve, and enhance significant biological, archaeological, and paleontological resources and critical natural resources, including, but not limited to, air, water, agricultural soils, minerals, plants, and wildlife resources; and
- protect and improve public health and safety.

The Project does not propose site-specific development projects, but rather programmatically facilitates possible future development beyond the current time limits of the Constituent Redevelopment Plans outlined in 1998. Future development facilitated by the Project would have to quantify existing and post-project emissions. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and would have to conform to SJVAPCD requirements as part of the analysis, including quantification of emissions. Each project-level CEQA analysis would have to be consistent with goals set forth in the General Plan. The URBEMIS model outputs for individual projects within the Project Area will be used to determine the significance of development projects’ air quality impacts as well as the basis for any project-specific air quality mitigation measures. Criteria pollutant emissions as calculated using standard modeling methodologies recommended by the SJVAPCD will be judged in the context of the region’s ability to meet the attainment goals defined in the specific ozone and PM plans discussed previously and general conformity with the General Plan and its amendments. Improvements in PM and ozone levels in recent years (California Air Resources Board 2009b) indicate that the SJVAPCD’s attainment plans are impacting regional air quality in a positive way. Conformity of future development projects within the Project Area with the attainment plans for pollutants of concern in the region will ensure continued improvement in regional air quality.

Air Quality Update of the General Plan - Resource Conservation Element

The General Plan Air Quality Update and its MEIR gave emphasis to pursuing cleaner air as an over-arching goal. General Plan goals, objectives, and policies and MEIR mitigation measures outlined actions for the City to pursue within its

own operations to reduce emissions. The City has been pursuing the following (City of Fresno Planning and Development Department 2009):

- Fresno Area Express (FAX) bus fleet and the Department of Public Utilities solid waste collection truck fleet are being converted to cleaner fuels.
- Lighter-duty vehicle fleets are also incorporating alternative fuels and “hybrid” vehicles.
- Mass transit system improvements are supporting increased ridership.
- Construction of sidewalks, paseos, bicycle lanes and bike paths is being required for new development Projects, and are being incorporated into already-built segments of City rights-of-way with financing from grants, gas tax, and other road construction revenues.
- Traffic signal synchronization is being implemented.
- The Planning and Development Department amended the Fresno Municipal Code to ban all types of residential woodburning appliances, thereby removing the most prominent source of particulate matter pollution from new construction.

The updated air quality element (City of Fresno Planning and Development Department 2009) contains a detailed discussion of the numerous policies adopted in the general plan that promote improvements in air quality. These policies include operational stipulations of fire departments, Public Works Departments, airports, development projects, construction, Parks and Recreation departments, waste practices as well as policies to be pursued within the planning process that act to reduce pollutant emissions by reduced vehicle miles traveled (VMT). A list of planning and land use-related policies in the Air Quality Update is provided here:

- incorporate multi-use activity centers and high intensity transportation corridor concepts;
- implementation of the City’s Urban Growth Management Program;
- promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes;
- implement mixed use development guidelines that provide more pedestrian-oriented neighborhoods;
- require subdivision and other residential development designs which facilitate pedestrian access to bus stops and other transportation routes;
- maintain and improve transit related requirements for development including on-site bus parking;
- expand programs to reduce VMT, stop and go traffic and congestion through various strategies such as optimized signal timing, interconnected signals, computer based controls, and traffic actuated signals;
- complete the City’s network of alternative bicycle and pedestrian transportation routes;

- provide for installation and maintenance of landscaping that promotes good air quality;
- support employer programs for staggered work week hours, telecommuting, worker incentives to use carpools, and/or public transit;
- continue efforts to improve Fresno Area express bus technical performance, emission levels and system operations;
- evaluate and pursue long-range transportation measures such as express bus, light rail, mass transit corridors, HOV lanes, and the acquisition by the City of land to be used for bus turning and parking areas; and
- installation of bike lanes, paths, and trails.

Climate Change Regulations

The most significant change since the certification of the 1998 EIR is the evolution of regulation related to climate change and GHG emissions. While climate change and global warming were active areas of scientific research in 1998, as well as environmental issues of great public concern, the reduction of GHG emissions through national, state, and local regulations was only beginning to be discussed.

An overview of current national, state, and local actions that pertain to GHG emissions from potential Projects within the Project Area is provided below. As the regulatory landscape regarding GHGs continues to evolve rapidly, additional regulations and requirements, not mentioned here, could apply to future development within the Project Area and would necessarily be included in associated CEQA documents.

Federal Climate Change Requirements

Currently there is no overarching federal policy or legislation regulating the emission of GHGs. The EPA does not currently regulate GHGs. However, in recent years, activity in all branches of the federal government indicates that the U.S. has a commitment to understanding and addressing climate change and that federal regulations aimed at limiting GHG emissions are eminent, with the EPA taking a leadership role in implementation. Actions relevant to GHGs and climate change at the federal level are highlighted below:

- *Global Climate Change Research Act of 1990*—The United States Global Change Research Program (USGCRP) began through a Presidential Initiative that was then mandated by Congress in the Global Climate Change Research Act of 1990. The USGCRP includes thirteen federal agencies and coordinates federal research on climate change and its societal implications. The USGCRP works with other agencies to support research and monitoring activities as well as produce periodic assessments for the U.S. Government and citizens (U.S. Global Change Research Program 2009b). The Global

Climate Change Research Act of 1990 called for a “comprehensive and integrated United States research program which will assist the Nation and the world to understand, assess, predict, and respond to human-induced and natural processes of global change” (U.S. Global Change Research Program 2009b).

- *Climate Change Challenge to Business and Industry*—On February 14, 2002, President George Bush announced a national strategy to reduce the U.S. GHG emission intensity – tons of GHG emissions per million dollars of gross domestic product – by 18% before 2012. No binding reductions were associated with the goal. Rather the EPA administers a variety of voluntary programs and partnerships with GHG emitters in which the EPA partners with industries producing and utilizing synthetic gases to reduce emissions of these particularly potent GHGs.
- *Massachusetts et al. v. EPA*—On April 2, 2007, the U.S. Supreme Court determined that EPA does have the authority to regulate GHGs under the CAA. The Court also instructed EPA to review its policies toward regulation of vehicle emissions under the Clean Air Act, but stopped short of mandating that EPA enact such regulations. Massachusetts and 11 other states sued the EPA for not regulating four GHGs (including CO₂) from the transportation sector.
- *Executive Order to Control GHGs*—On May 14, 2007, in response to the Supreme Court’s decision, the President issued an Executive Order to control GHG emissions from motor vehicles, non-road vehicles, and non -road engines. EPA joined a cross-agency effort to develop new regulations that would cut GHG emissions from motor vehicles and their fuels, and EPA began an endangerment determination.
- *Energy Independence and Security Act*—On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law, which requires an increased Corporate Average Fuel Economy (CAFE) standard of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020. EISA requires establishment of interim standards (from 2011 to 2020) that will be the “maximum feasible average fuel economy” for each fleet. EISA also includes several other provisions: 1) Renewable Fuel Standard (RFS) (Section 202), 2) Appliance and Lighting Efficiency Standards (Section 301–325), and 3) Building Energy Efficiency (Sections 411–441). Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”
- *EPA-ANPR*—In June of 2008, the EPA issued an Advance Notice of Proposed Rulemaking (ANPR) inviting comments on options and questions regarding regulation of GHGs under the CAA but has not yet proposed or adopted regulations in response to the *Massachusetts* decision.
- *EPA Proposed Rule Mandatory GHG Reporting*—On March 10, 2009, the EPA proposed a rule that requires mandatory reporting of emissions of GHGs from large sources within the U.S. The proposed rule includes

emissions of CO₂, CH₄, N₂O, HFCs, PFCs, SF₆, nitrogen trifluoride (NF₃), hydrofluorinated ethers (HFE), and select other fluorinated compounds. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions would be required to report annual emissions to the EPA. The public comment period ended on June 9, 2009.

- *EPA Finding of Endangerment*—In April 17, 2009, EPA issued a Proposed Endangerment and Cause or Contribute Finding for Greenhouse Gases under the CAA. Through this Finding of Endangerment, the EPA Administrator proposes that current and projected concentrations of CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆ threaten the public health and welfare of current and future generations. Additionally, the Administrator proposes that combined emissions of CO₂, CH₄, N₂O and HFCs from motor vehicles contribute to the atmospheric concentrations and thus to the threat of climate change. Although the Endangerment Finding in itself does not place requirements on industry, it is an important step in the EPA's process to develop regulation. The public comment period for the Endangerment Finding concluded on June 23, 2009.
- *Update to CAFE Standards*—On May 19, 2009 President Obama issued a requirement to automakers to increase fuel efficiency of cars manufactured in the U.S. to 35.5 mpg by 2016, four years ahead of the schedule set by EISA. The new CAFE standards incorporate stricter fuel economy standards promulgated by the state of California (discussed below) into one uniform standard. Additionally, automakers are required to cut GHG emissions in new vehicles by roughly 25%.
- *Waxman-Markey Bill*—On June 26, 2009, the U.S. House of Representatives passed the American Clean Energy and Security Act (ACES, H.R. 2454), also known as the Waxman-Markey Clean Energy Bill. The bill's centerpiece is the establishment of a cap and trade program for GHGs and includes the following key provisions: 1) requirement that electric utilities meet 20% of their demand with renewable sources of power by 2020, 2) investments of 190 billion in clean energy technologies and energy efficiency, 3) mandates new energy saving standards for buildings, appliances and industry, and 4) sets a goal of reducing GHG emissions from U.S. sources by 17% before 2020 and 80% by 2050. The passage of the legislation marked the first time that either house of Congress passed a bill limiting the emissions of GHGs. On July 7, 2009, the bill was placed on the Senate Legislative Calendar. At the writing of this document, the bill has not yet been debated by the Senate and it is anticipated that a companion bill will be introduced into the Senate.

State Climate Change Requirements

A variety of legislation has been enacted in California that relates to climate change, much of which sets aggressive goals for GHG reductions within the state. However, none of this legislation provides definitive direction regarding

the treatment of climate change in environmental review documents pursuant to CEQA. As discussed below, the Office of Planning and Research (OPR) has been directed to develop guidelines for the mitigation of GHG emissions and their effects. CARB must adopt regulations for the implementation of AB 32 beginning in January 2010. As described further below, on April 13, 2009, OPR submitted the draft proposed amendments to the CEQA Guidelines (Proposed Amendments) to the Natural Resources Agency for rulemaking (Office of Planning and Research 2009a). The formal rulemaking process that precedes adoption of these revisions to the Guidelines began on July 3, 2009.

No local, state, or regional agency has adopted binding regulations for the treatment of GHG analysis or mitigation in CEQA documents. The discussion below provides a brief overview of the documents discussed above as well as the primary California legislation that relates to climate change, which may affect the emissions associated with future development within the Project Area.

Assembly Bill 32 (Chapter 488, Statutes of 2006)

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill sets a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill is the requirement that statewide GHG emissions must be reduced to 1990 levels by the year 2020. California needs to reduce GHG emissions by approximately 29% below business as usual (based on compliance with requirements in effect under applicable federal and state law) of year 2020 GHG emissions to achieve this goal. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions. Key AB 32 milestones are as follows:

- June 30, 2007—Identification of discrete early action GHG emissions reduction measures. On June 21, 2007, CARB satisfied this requirement by approving three early action measures. On October 25, 2007, CARB expanded this list to nine.
- January 1, 2008—Identification of the 1990 baseline GHG emissions level and approval of a statewide limit equivalent to that level. Adoption of reporting and verification requirements concerning GHG emissions. On December 6, 2007, CARB approved a statewide limit on GHG emissions levels for the year 2020 consistent with the determined 1990 baseline.
- January 1, 2009—Adoption of a scoping plan for achieving GHG emission reductions. On December 11, 2008, CARB adopted the Scoping Plan entitled “Climate Change Proposed Scoping Plan: A Framework for Change” (Scoping Plan) (California Air Resources Board 2008b). The Scoping Plan is describe in greater detail below.

- January 1, 2010—Adoption and enforcement of regulations to implement the “discrete” actions.
- January 1, 2011—Adoption of GHG emissions limits and reduction measures by regulation.
- January 1, 2012—GHG emissions limits and reduction measures adopted in 2011 become enforceable.

AB 32 Scoping Plan

In December 2008, CARB met the AB 32 mandate for approving a Scoping Plan for reducing California GHG emissions to 1990 levels by 2020 (California Air Resources Board 2008b). The Scoping Plan and earlier CARB reports included the quantification of California's 1990 GHG emission levels at anticipated 2020 GHG emission levels based on projections of economic and population growth based on a “business-as-usual” scenario of compliance with existing federal and state laws and continuation of existing economic trends and other activities. CARB then subtracted the 1990 target GHG emissions from the forecast 2020 emissions and identified a numeric reduction target for GHGs that needed to be achieved for California to comply with AB 32. The CARB calculations require a reduction of 28.3% (often rounded up to 29%) of GHG emissions in relation to the otherwise forecast business-as-usual scenario to meet AB 32 goals.

The Scoping Plan includes a wide variety of measures to reduce GHG emissions from multiple sectors of the economy, ranging from large stationary sources such as refineries and power plants, to sector-specific activities such as local government operations at landfills, and transit operations such as high speed rail, to consumer and population based activities such as the private use of automobiles.

The Scoping Plan does not include a specific reduction target for mixed-use residential resort projects, nor other land use projects. Instead, the Scoping Plan identifies sector reductions that are relevant to these Project activities. Sector reductions for which implementation laws (discussed below) have already been adopted in California include:

- Mobile source emission reductions from cleaner passenger automobiles and light duty trucks and cleaner gasoline standards in the Low Carbon Fuel Standard;
- Buildings that result in lower GHG emissions based on implementation of the energy efficiency and other mandates in the California Green Building Standards;
- Cleaner electricity generated by the energy sector in power plants, including mandates for the use of renewable energy resources such as solar and wind power, as required by various laws including those discussed below.

Collectively, these measures will dramatically reduce GHG from mixed use, residential, commercial, resort, and other "land use-driven" sectors. The Bay Area Air Quality Management District, for example, has estimated that after taking into account reductions from the three reduction categories described above, the "land use-driven" sectors will be obligated to reduce GHG only 2.9% to achieve the AB 32 reduction targets (Bay Area Air Quality Management 2009). The Scoping Plan also notes that SB 375 (discussed below), which specifically addresses GHG in relation to land use planning and development in a phased planning and implementation process, and which is now well underway (also discussed below), will also play an important role in reducing GHG emissions by helping to encourage infill and higher density urban development in lieu of suburban sprawl.

Executive Order S-03-05 (2005)

California Executive Order S-03-05 (June 1, 2005) mandates a reduction of GHG emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050. Although the 2020 target is the core of AB 32, and has effectively been incorporated into AB 32, the 2050 target remains the goal of the Executive Order and is not a statutory requirement.

Executive Order S-01-07 (Low Carbon Fuel Standard, 2007)

Executive Order S-01-07 (January 18, 2007) requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. CARB identified the Low Carbon Fuel Standard (LCFS) as a Discrete Early Action item under AB 32. On April 23, 2009, CARB adopted regulations implementing the LCFS.

SB 1368 Greenhouse Gas Emissions Performance Standard

SB 1368 prohibits any retail seller of electricity in California from entering into a long-term financial commitment for base-load generation if the GHG emissions are higher than those from a combined-cycle natural gas power plant. This performance standard applies to electricity generated out-of-state as well as in-state, and to publicly owned as well as investor-owned electric utilities.

AB 1493 (Chapter 200, Statutes of 2002)

AB 1493 requires CARB to adopt regulations by January 1, 2005, to reduce GHG emissions from noncommercial passenger vehicles and light-duty trucks of model year 2009 and thereafter. For this mandate to take effect, CARB is

required to obtain a federal waiver from EPA to allow California to deviate from the national car and light duty truck standards (CAFE standards) set by EPA under the CAA. This waiver, generally referred to as the "Pavley Waiver" after the principal author of AB 1493, was initially requested in 2004. At the time of the initial request, the federal government declined to regulate GHG under the CAA.

California and other states sued the federal government in an attempt to compel EPA to regulate GHG under the CAA and take action on the waiver request, which was also being sought by several other states. In April 2007, the U.S. Supreme Court ruled in *Massachusetts et al. v. Environmental Protection Agency et al.* (discussed above) that EPA has authority to regulate GHG emissions as pollutants under the CAA. Despite the Supreme Court ruling, the Pavley Waiver request was formally denied by the EPA in December 2007. In January 2008, the State Attorney General filed a new lawsuit against the EPA for denying California's request for the Pavley Waiver to regulate and limit GHG emissions from these automobiles.

In February of 2009, at the request of President Obama, the EPA announced that it would reconsider the decision to deny California permission to set state standards regulating GHG emissions from motor vehicles. On May 19, 2009 President Obama issued an update to the federal CAFE standards that were in line with the original goals set forth in the Pavley waiver. Under the new CAFE standards, cars (model years 2012-2016) must achieve an average fuel economy of 39 mpg and light trucks of the same model years must achieve 30 mpg, for a combined fuel economy for passenger vehicles of 35.5 mpg.

SB 375 (Chapter 728, Statutes of 2008)

SB 375 provides for a new planning process to coordinate land use planning and regional transportation plans and funding priorities in order to help California meet the GHG reduction goals established in AB 32. SB 375 requires regional transportation plans, developed by metropolitan planning organizations (MPOs), including the Fresno COG relevant to the Project Area, to incorporate a "sustainable communities strategy" in their RTPs that will achieve GHG emission reduction targets for automobiles and light trucks to be set by CARB. The regional targets are scheduled to be released by CARB in September 2010. SB 375 also includes provisions for streamlined CEQA review for some infill Projects such as transit-oriented development. However, those provisions will not become effective until a sustainable communities strategy is adopted.

SB 375 will be implemented over the next several years. At the writing of this document, Fresno COG has not yet developed a sustainable communities strategy and is not expected to adopt an RTP incorporating a sustainable communities strategy until the next RTP update after 2011.

In the sense that it mandates preparation of a regional plan, SB 375 is similar to the Regional Blueprint Planning Program, established by the California

Department of Transportation (Caltrans), which provides discretionary grants to fund regional transportation and land use plans voluntarily developed by MPOs outside the RTP process. The Council of Fresno County Governments adopted the San Joaquin Valley Blueprint in the spring of 2009. The sustainable communities strategy is expected to be developed from the Blueprint, with further emphasis on reducing GHG emissions from the transportation sector.

Energy Conservation Standards

Energy Conservation Standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission in June 1977 and are periodically revised. Title 24 requires the design of building shells and building components to conserve energy. Title 24 measures compliance based on a time dependant valuation (TDV) methodology. TDV energy considers not only the type of energy that is used (electricity, natural gas, or propane), but also when it is used. Energy saved during periods when California is likely to have a statewide system peak is worth more than energy saved at times when supply exceeds demand. Therefore, calculations of TDV weights energy used at different times at different values. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. New building energy efficiency standards were adopted in April 2008, took effect in August of 2009. These updates to Title 24 standards were not included in the AB 32 Scoping Plan. Future development within the Project Area would be subject to the new Title 24 Standards.

The 2006 Appliance Efficiency Regulations [Title 20, California Code of Regulations (CCR) Sections 1601 through 1608], dated December 2006, were adopted by the California Energy Commission on October 11, 2006, and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often seen as business as usual, and compliance with these standards is part of the CARB Scoping Plan Base Year (2008), they do exceed the standards imposed by any other state and reduce GHG emissions by reducing energy demand.

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code (Title 24, CCR). Part 11 establishes voluntary standards that will become mandatory in the 2010 edition of the Code, including planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

SB 97 (Chapter 185, Statutes of 2007)

SB 97 requires that OPR prepare guidelines to submit to the California Resources Agency regarding feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA. The Natural Resources Agency is required to certify and adopt these revisions to the State CEQA Guidelines by January 1, 2010. The Guidelines will apply to environmental impact reports, negative declarations, mitigated negative declarations, or other related CEQA document. On April 13, 2009, OPR released revised proposed amendments to the CEQA Guidelines (Proposed Amendments) to address GHG emissions. The Natural Resources Agency commenced the rulemaking process July 3, 2009.

The Proposed Amendments do not prescribe a particular threshold of significance or method for determining significance of GHG emissions in CEQA documents. Rather, the draft regulations confirm the discretion of lead agencies to determine appropriate significance thresholds. The Proposed Amendments also require that "an EIR shall analyze greenhouse gas emissions resulting from a proposed Project when the incremental contribution of those emissions may be cumulatively considerable" (Office of Planning and Research 2009a). In its transmittal of the proposed GHG CEQA Guidelines to the Secretary for Natural Resources, OPR further emphasizes that:

'A new subdivision [of CEQA] is proposed to emphasize that the effects of greenhouse gas emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. [See Section 15130(f).] (Office of Planning and Research 2009b.)

Local Climate Change Requirements

No local, state, or regional agency has promulgated binding regulations for the treatment of GHG analysis or mitigation in CEQA documents. The SJVAPCD has not adopted rules, regulations, or guidance for the treatment of GHGs in CEQA documents nor thresholds of significance for GHG emissions at the project level. The Project does not result in project-level development, but rather programmatically facilitates possible future development beyond the current time limits. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and would have to conform to SJVAPCD requirements at that time as part of the analysis, including any requirements the SJVAPCD or OPR sets forth in regards to quantifying GHG emissions and assessing their significance.

It is possible and indeed likely that the regulatory framework as regards GHGs in CEQA documents will be developed further from the time of the writing of this SEIR to the time of submittal of future CEQA documents for development proposals within the Project Area. In the interest of full disclosure as well as providing context for the developing regulatory framework, the current approaches of OPR, the SJVAPCD, and other air districts for establishing

significance thresholds for GHG emissions at the project level are provided below.

Approaches for Evaluating the Significance of GHG Emissions under CEQA

Office of Planning and Research

As discussed above, OPR, the agency charged with developing the CEQA Guidelines, has not established a significance threshold for GHGs for use in CEQA documents. Instead, OPR has proposed amendments to CEQA that continue to rely on lead agencies to make significance determinations based on substantial evidence, including but not limited to, recommendations by experts, legal mandates, and adopted plans and policies.

CARB, which is the principal California state agency charged with GHG reduction efforts under AB 32, has not proposed, recommended, or adopted a CEQA significance standard for GHG for residential, commercial, mixed use, resort, or similar land use Projects.

San Joaquin Valley Air Pollution Control District

In 2008, the governing board of the SJVAPCD authorized the Air Pollution Control Officer to begin development of a Climate Change Action Plan, which would include development of guidance for considering GHGs in the CEQA process; development of a carbon exchange bank for voluntary GHG reductions in the SJVAB; enhancement of the criteria pollutant emissions; development of voluntary emission reduction agreements to mitigate GHG increases associated with new projects; and encouragement of the development of climate protection measures that reduce GHG emissions as well as toxic and criteria pollutants, and opposition to measures that result in significant increases in toxic or criteria pollutant emissions in already impacted areas. In response to this authorization, various working groups were formed to develop implementation strategies for the above.

In June of 2009, SJVAPCD issued a Draft Report on a Climate Change Action Plan: Addressing Greenhouse Gas Emissions under the California Environmental Quality Act (SJVAPCD Draft Report) (San Joaquin Valley Air Pollution Control District 2009a). The current timetable to prepare a Climate Change Action Plan for addressing climate change in CEQA documents is July 2009, with a presentation to the District government board by the end of the summer.

The SJVAPCD Draft Report concluded that the most appropriate option for development of significant determination guidance is based on use of Best Performance Standards (BPS). BPS would: 1) achieve GHG emission reductions on site through project design elements, 2) guide project proponents and lead agencies in determining how to best reduce project-specific GHG emissions, and 3) achieve emission reductions from projects not covered in the AB 32 Scoping Plan and expedite state GHG reduction goals. However, in Table 2 of the SJVAPCD Draft Report, and as further explained by staff at a workshop on its

Climate Action Plan, a project that does not comply with BPS would be considered to have a less than significant cumulative impact if it: 1) reduces GHG emissions by 29% from business as usual under the 2008 base year as required by the CARB Scoping Plan, 2) complies with applicable CARB GHG reduction measures, and 3) complies with applicable direct GHG regulations or rules. (San Joaquin Valley Air Pollution Control District 2009b.)

In February of 2009, the Attorney General of California officially commented on the SJVAPCD's draft document entitled, "Characterization of Greenhouse Gas Emissions" (CA Attorney General 2009). The Attorney General disagreed with the document's provision that indirect GHG emissions should not be calculated as part of CEQA documents and requested that the SJVAPCD make revisions to the document addressing the Attorney General's specific concerns. The Attorney General asserted that the SJVAPCD's draft guidance was inconsistent with both the OPR's *Technical Advisory* (released June 18, 2009) (Office of Planning and Research 2009c) and California Air Pollution Control Officer's Association (CAPCOA) white paper entitled, "CEQA and Climate Change" (released January 2008) (California Air Pollution Control Officer's Association 2008). On June 30, 2009 the SJVAPCD held another public meeting to discuss the document dated June 30, 2009 "Climate Change Action Plan – Addressing GHG emissions under CEQA." The June 30th Draft (San Joaquin Valley Air Pollution Control District 2009a) report maintains BPS as a means of significance determination as well as conformity with AB 32 goals, stating that:

The existing science is inadequate to support quantification of the impacts that Project specific GHG emissions have on global climatic change. No one has been able to scientifically demonstrate that a Project of any size is significant, or insignificant. This is readily understood when one considers that global climatic change is the result of the sum total of GHG emissions, both man-made and natural that occurred in the past; that is occurring now; and will occur in the future. Thus, there is scientific consensus that impacts of a specific Project's emissions on global climatic change are cumulative in nature.

ARB in carrying out its AB 32 mandates has determined that the emission reductions targets established per AB 32 can be accomplished by achieving a 29% reduction in GHG emissions from business as usual (BAU), from key GHG emission source categories (see Figure 2). Thus establishing what could be considered a de facto standard for GHG emission reductions to be achieved at the Project level for GHG emission source categories." (San Joaquin Valley Air Pollution Control District 2009a.)

Also on June 30, 2009, the SJVAPCD convened a public workshop to address GHG emissions in the context of establishing a regional "banking" program that would allow for the banking, trading, and purchasing GHG emission reduction measures in draft amendments to Rule 2301 (emission reduction credit banking). On May 7, 2009, the SJVAPCD issued a draft staff report regarding a proposed GHG emission reduction registry through amendments to Rule 2301 (Emission Reduction Credit Banking) (San Joaquin Valley Air Pollution Control District 2009c.). SJVAPCD would amend Rule 2301 to provide a new mechanism for facilities that produce GHG to register their emissions reductions. This registry

would potentially allow facilities to participate in a number of beneficial programs, including using registered emissions to provide mitigation for CEQA purposes, providing a mechanism for GHG emission trading, and compliance with the upcoming AB 32 cap and trade program. It could also promote early reductions of GHG within the region. The SJVAPCD would register GHG emissions that rely on a CARB-approved GHG emission reduction protocol. Currently, three such protocols exist, in the areas of forestry preservation, urban forestry, and manure management. The amendments to the Rule 2301 would be available to facilities on a voluntary basis. The amended rule could also form the basis for a lead agency-developed program to address the cumulative impacts of Project GHG emissions. The proposed rule amendments and final draft staff report with appendices will be published prior to the public hearing to consider Board adoption of proposed rule amendments to Rule 2301. The public hearing is tentatively scheduled to take place in the third quarter of 2009. (San Joaquin Valley Air Pollution Control District 2009c.)

In December 2009, SJVAPCD issued the *Final Staff Report—Climate Change Action Plan: Addressing Greenhouse Gas Emissions under the California Environmental Quality Act* (SJVAPCD Final Report) (San Joaquin Valley Air Pollution Control District 2009d). The SJVAPCD Final Report states:

District staff concludes that existing science is inadequate to support characterization of impacts that project specific GHG emissions have on global climatic change. This is readily understood when one considers that global climatic change is the result of the sum total of GHG emissions, both manmade and natural that occurred in the past; that is occurring now; and will occur in the future. The effects of project specific GHG emissions are cumulative, and unless reduced or mitigated, their incremental contribution to global climatic change could be considered significant. District staff concludes that this cumulative impact is best addressed by requiring all projects subject to CEQA to reduce their GHG emissions through project design elements.

SJVAPCD has proposed an approach in the Final Report intended to streamline the process of determining if project-specific GHG emissions would have a significant effect. Like the June 2009 Draft Report, the proposed methodology in the December 2009 Final Report relies on the use of BPS. The Final Report states:

Use of performance based standards is a method of determining significance of project specific GHG emission impacts using established specifications or project design elements, Best Performance Standards, and is not mitigation of project related impacts. Establishing BPS would help project proponents, lead agencies, and the public by proactively identifying effective, feasible GHG emission reduction measures. Emission reductions achieved through implementation of BPS would be pre-quantified thus, negating the need for project specific quantification of GHG emissions.

As defined, BPS is the most effective, achieved-in-practice, means of reducing or limiting GHG emissions from a GHG emissions source. For traditional stationary source projects, BPS includes equipment type,

equipment design, and operational and maintenance practices for the identified service, operation, or emissions unit class and category. For development projects, BPS includes project design elements, land use decisions, and technologies that reduce GHG emissions.

BPS would be established through a process approved by the District's Governing Board. The proposed process would provide ample opportunity for stakeholders and other interested parties to participate and provide valuable input into the establishment of baseline GHG emissions and BPS.

Once BPS has been established, projects implementing Best Performance Standards would be determined to have a less than significant individual and cumulative impact on global climate change and would not require project specific quantification of GHG emissions. Projects exempt from the requirements of CEQA, and projects complying with an approved GHG emission reduction plan or mitigation program would also be determined to have a less than significant individual and cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and have a certified Final CEQA document.

Projects not implementing BPS would require quantification of project specific GHG emissions. To be determined to have a less than significant individual and cumulative impact on global climate change, such projects must be determined to have reduced or mitigated GHG emissions by 29%, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Furthermore, quantification of GHG emissions would be required for all projects for which the lead agency has determined that an Environmental Impact Report is required, whether or not the project incorporates Best Performance Standards.

In evaluating GHG emissions from a specific project the District recommends that a lead agency characterize both direct and indirect GHG emissions. Direct GHG emissions would include emissions resulting from a specific operation or process, e.g. fuel combustion emissions from a boiler. Indirect GHG emissions would include emissions resulting from project related energy consumption, e.g. electricity consumed by operation of the project and electricity required to produce and transport water used by the project. For projects resulting in increased vehicle miles traveled (VMT), indirect GHG emissions associated with transportation related activities would also be included in the GHG emissions quantification.

District staff is proposing a policy that establishes methods of assessing and reducing the impacts of project specific greenhouse emissions, when the District serves as the lead agency. Staff is also proposing guidance for consideration by Valley land-use agencies in establishing their own process for determining significance of project related impacts on global climate change. The District's analysis demonstrates that implementing BPS is expected to equal or exceed 29 percent reduction in GHG emissions from stationary sources and development projects. To ensure that implementation of BPS will achieve the GHG emission reduction targets; the proposed District policy requires District staff to periodically evaluate the effectiveness of the Best Performance Standard significance determination method. Every three years, the District will prepare a report

evaluating the effectiveness of the Best Performance Standard significance determination method. The District report will include a comparison of actual GHG emissions reductions achieved by stationary source projects permitted under this policy to the 29% GHG emission reduction goal, consistent with the GHG emission reduction target established in ARB's AB 32 Scoping Plan. If the report demonstrates that a gap exists the District will revise BPS accordingly, or will take other steps to assure that the shortfall is addressed for future projects.

On December 17, 2009, SJVAPCD adopted guidance to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project-specific GHG emissions on global climate change called *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (San Joaquin Valley Air Pollution Control District 2009e). This guidance includes a procedure for determining BPS for stationary sources and development projects. However, given that the Attorney General has not commented about the adopted policies, this SEIR uses the alternative CEQA compliance approach as follows: 1) reduces GHG emissions by 29% as required by the CARB Scoping Plan, 2) complies with applicable CARB GHG reduction measures, and 3) complies with applicable direct GHG regulations or rules.

Other Air District's Efforts to Establish Significance Thresholds

Many other agencies, including air quality agencies (CARB, the South Coast Air Quality Management District, the Sacramento Metropolitan Air Quality Management District, the Bay Area Air Quality Management District, and others), as well as cities and counties, are evaluating potential options for GHG significance thresholds under CEQA and are also considering climate action plans, GHG reduction measures, and other CEQA implementation tools.

Role of the General Plan in Reducing GHG

The broad goals and objectives in the General Plan that promote improvements in air quality (City of Fresno Planning and Development Agency 2009) are discussed above in "2025 Fresno General Plan."

The Project does not result project-level development but rather programmatically facilitates possible future development beyond the current time limits. Future development facilitated by the Project would have to quantify existing and post-development emissions. Each future development proposal within the Project Area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and would have to conform to SJVAPCD requirements as part of the analysis, including quantification of emissions. The Air Quality Element Update to the Fresno General Plan (City of Fresno Planning and Redevelopment Agency 2009) contains numerous goals and policies that would reduce GHG emissions in the area. Some of the relevant proposed measures are:

- Encourage development proponents to offset or mitigate emissions by removing older, less efficient and higher emitting vehicles from service.
- Control and reduce air pollution emissions form from City operations and facilities.
- Development of renewable energy projects and programs.
- In cooperation with other jurisdictions and agencies in the SJVAB, take steps to reduce GHG emissions.
- Conduct a GHG inventory.
- Develop a policy for emission credits generated through City facilities, programs, and policies.
- Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to City jurisdiction.
- Consider strengthening City standards for purchasing low polluting and climate friendly goods and services.
- Prioritize energy and water conservation through various measures.
- Maintain current levels of achievement for recycling and reuse.
- Make transportation services more efficient.
- Continue to enhance landscaping consistent with energy and water conservation principles.

CEQA documents prepared for future development within the Project Area would necessarily address conformity of the development with the General Plan and General Plan updates.

The SJVAPCD encourages local jurisdictions to design developments in ways that reduce air pollution from vehicles. Promulgated under the SJVAPCD, the GAMAQI (San Joaquin Valley Air Pollution Control District 2002) lists various land uses and design strategies that reduce air quality impacts resulting from new development. Many of these design strategies and policies also act to reduce GHG emissions by reducing VMT. The Project was included as part of the General Plan analysis (City of Fresno 2002) and therefore, the Project has been addressed within the current General Plan and consequently was considered by the current Air Quality Attainment Plan for the SJVAB.

Impacts and Mitigation

This section describes the Project's impacts on air quality and climate change. First, it describes the method used for impact analysis, and then lists the thresholds used to evaluate whether an impact would be significant. It discusses impacts from construction (temporary, short-term), and from the operations of each component of the Project and the Project as a whole (permanent, long-term).

Mitigation measures to reduce significant impacts immediately follow each impact discussion, as necessary.

Methodology

The 1998 EIR was certified in 1998 and this SEIR is being prepared to address new significant environmental effects or increases in severity of environmental issues disclosed at that time. The methodology employed for this SEIR was a comprehensive yet qualitative assessment of air quality conditions in the area, their change since 1998, and updates or new regulations applicable to the Project Area.

No specific developments are identified as part of the Project that are substantially different from the Project analyzed in the 1998 EIR, but rather the Project proposes changes to the time and financial limits in the 1998 EIR and incorporates more streamlined redevelopment plan language consistent with the General Plan. As a result, a separate CEQA analyses will be required of future site-specific projects within the Project Area. These specific analyses will follow standard methodologies recommended by the SJVAPCD for calculating pollutant and GHG emissions as well as follow guidance for determining their significance. The SJVAPCD consolidates the most up to date guidance in the GAMAQI. A summary of common standard methods of analysis and thresholds for air quality are provided in Table 3A-19 below. The table lists the models used in the general operational thresholds, the pollutants to which they apply, and the standards to which the model results will be compared for significance determination.

Table 3A-19. Standards Used for General Thresholds of Significance

Thresholds of Significance	Pollutant(s)	Standard	Modeling Technique
Conflict with or obstruct implementation of applicable air quality management plan	PM10, PM2.5	U.S. EPA’s Prevention of Significance –	AERMIC Model (AERMOD), Caline 4, URBEMIS
	NO _x	Significant Impact	
	SO _x	Levels (PSD SIL’s) for onsite sources, GAMAQI for indirect sources	EMFAC2007
	CO	NAAQS, CAAQS	
	Ozone and ROGs	New Source Review Rule of SJVAPCD for onsite, GAMAQI for indirect	URBEMIS EMFAC2007
	Visibility	Air Quality Related Values (AQRV’s)	EPA VISCREEN, AERMIC Model (AERMOD)
Violate any ambient air quality standard or contribute substantially to an existing or Projected air quality violation	PM10, PM2.5	PSD SIL’s	AERMIC Model (AERMOD), Caline4
	NO _x	NAAQS, CAAQS for onsite, GAMAQI for indirect	URBEMIS
	SO _x		EMFAC2007
	CO		
	Ozone and ROGs	New Source Review Rule of SJVAPCD for onsite, GAMAQI for indirect, Kern	URBEMIS EMFAC2007
	Visibility	AQRV’s	EPA VISCREEN, AERMIC Model (AERMOD)
Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)	PM10, PM2.5	PSD SIL’s	AERMIC Model (AERMOD), Caline4
	NO _x	NAAQS, CAAQS for onsite, GAMAQI for indirect	URBEMIS
	SO _x		EMFAC2007
	CO		
	Ozone and ROGs	New Source Review Rule of SJVAPCD for onsite, GAMAQI for indirect	URBEMIS EMFAC2007
	Visibility	AQRV’s	EPA VISCREEN, AERMIC Model (AERMOD)
Expose sensitive receptors to substantial pollutant concentrations	PM10, PM2.5	PSD SIL’s	AERMIC Model (AERMOD), Caline4
	NO _x	NAAQS, CAAQS for onsite, GAMAQI for indirect	URBEMIS
	SO _x		
	CO		

Thresholds of Significance	Pollutant(s)	Standard	Modeling Technique
	Ozone	New Source Review Rule of SJVAPCD for onsite, GAMAQI	URBEMIS EMFAC2007
	Air Toxics	10 x 10 ⁻⁶ excess cancer risk 1.0 non cancer health risk	HARP EMFAC2007
	Visibility	AQRV's	EPA VISCREEN,
Create objectionable odors	SO _x , H ₂ S	PSD SIL's, NAAQS, CAAQS, odor thresholds, GAMAQI (odor complaints)	AERMIC Model (AERMOD)

Criteria for Determining Significance

In order to ascertain what would likely pose a significant impact from a particular project, local, state and federal agencies have developed various means by which a project's impacts may be measured and evaluated. Such measures of significance can generally be categorized as follows:

- measures adopted by air quality agencies to guide lead agencies in their evaluation of air quality impacts under CEQA;
- measures used in the evaluation of industrial or stationary sources in conjunction with applications for and issuance of Authorities to Construct or Permits to Operate or to determine the applicability of other permit program requirements, i.e. New Source Review;
- measures used to determine if a Project will cause or contribute significantly to violations of the ambient air quality standards or other concentration-based limits; and
- measures used in areas where severe air quality problems exist.

Summary tables of these emission-based and concentration-based measures of significance for each pollutant are provided below along with a discussion of their applicability (see Tables 3A-20 through 3A-26). Measures adopted for the evaluation of air quality impacts under CEQA and measures used in areas with severe air quality issues were used when assessing the Project.

Measures Adopted for the Evaluation of Air Quality Impacts under CEQA

In order to maintain consistency with CEQA, SJVAPCD adopted guidelines (2002) to assist applicants in complying with the various requirements. According to the SJVAPCD's GAMAQI, potentially significant air quality impacts are identified as effects that:

- conflict with or obstruct implementation of the applicable air quality plan;
- cause a violation of any air quality standard or substantial contribution to an existing or Projected air quality standard;
- cause a cumulatively considerable net increase of any criteria pollutant for which the Project region is designated non-attainment under an applicable federal or state ambient air quality standard (including emissions which exceed quantitative thresholds for ozone precursors);
- expose sensitive receptors to substantial pollutant concentrations; or
- cause the creation of objectionable odors that affect a substantial number of people.

The GAMAQI thresholds are designed to implement the general criteria for air quality emissions as required in the State CEQA Guidelines, Appendix G (California Code of Regulations 2009) and as encouraged by CEQA. As such, SJVAPCD thresholds provide a means by which the general standards set forth by Appendix G may be used to quantitatively measure the air quality impacts of a specific project.

Measures Based on Ambient Air Quality Impacts

State CEQA Guidelines – Appendix G (Environmental Checklist) (California Code of Regulations, 2009) state that a project that would “violate any air quality standard or contribute substantially to an existing or projected air quality violation” would be considered to create significant impacts on air quality. Therefore, an air quality impact analysis should determine whether the emissions from a project would cause or contribute significantly to violations of the NAAQS or CAAQS when added to existing ambient concentrations.

In order to determine what comprises “significant impact levels,” EPA has established the federal Prevention of Significant Deterioration (PSD) program to assess whether a project should be required to conduct a detailed cumulative increment analysis in areas deemed to be in attainment with the NAAQS. A project’s impacts are considered negligible if emissions are below PSD significant impact levels (SIL) for a particular pollutant. When a SIL is exceeded, an additional “increment analysis” is required. The increment analysis encompasses both the project and certain other existing, proposed, and reasonably foreseeable projects. Incremental increases in deterioration of air quality may be considered minor or insignificant. Emissions impacts below these thresholds are considered insignificant on both a project level and a cumulative level.

Measures Used in Areas with Severe Air Quality Issues

The SJVAB is currently in non-attainment for ozone, PM10, and PM2.5. The Project does not identify specific developments that are significantly different from the Project as analyzed in 1998. In 1998, the region was in nonattainment for ozone and PM10. At the time of 1998 EIR, federal and state standards were not in place for PM2.5. While levels of ozone and PM10 have declined in response to Air Quality Attainment Plan (AQAP), subsequent projects within the Fresno area could potentially add criteria pollutants for which the region is in nonattainment. The SJVAPCD has specific thresholds for PM and ozone precursors for which future projects would be subject to. Specifically, impacts would be significant if implementation of the Project would exceed any of the following adopted thresholds listed in Tables 3A-20 through 3A-26.

Details of thresholds for all criteria pollutants as set forth by the SJVAPCD and other agencies are provided in Tables 3A-20 – 3A-26. These thresholds or updates to these thresholds would be applicable to subsequent Project level CEQA analyses resulting from the Redevelopment Plan.

Table 3A-20. Measures of Significance – OZONE (ROGs and NO_x Emissions)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	10 tons/yr NO _x 10 tons/yr ROGs	SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts, August 20, 1998 (Revised January 10, 2002)
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors During Operation, then Construction Impacts are Assumed to be Less Than Significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-3 and 6-4 are implemented as appropriate.

Table 3A-21. Measures Based on Ambient Air Quality Impacts (NO_x)

Agency	Level	Description
CARB	470 µg/m ³	California One-Hour AAQS for NO ₂
EPA	100 µg/m ³	National annual AAQS for NO ₂
EPA	1.0 µg/m ³	Class II significant impact level for PSD
EPA	25 µg/m ³	Class II increment for PSD

Table 3A-22. Measures of Significance – Carbon Monoxide (CO)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	9 ppm, 8-hr avg	SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts, August 20, 1998 (Revised January 10, 2002)
	20 ppm, 1-hr avg	
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors During Operation, then Construction Impacts are Assumed to be Less Than Significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Table 6-4 are implemented as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	10,000 µg/m3	California 1-hour AAQS for CO
	23,000 µg/m3	California 8-hour AAQS for CO

Table 3A-23. Measures of Significance – Sulfur Dioxide (SO₂)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors During Operation, then Construction Impacts are Assumed to be Less Than Significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Table 6-4 are implemented as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	655 µg/m3	California 1-hour AAQS for SO ₂
	105 µg/m3	California 24-hour AAQS for S SO ₂
	1,300 µg/m3	National 3-hr AAQS for SO ₂
	80 µg/m3	National annual AAQS for SO ₂
	25 µg/m3	3-hr Class II significant impact level for PSD
EPA	5 µg/m3	24 hr Class II significant impact level for PSD
	1.0 µg/m3	Annual Class II significant impact level for PSD
	512 µg/m3	3-hr Class II increment for PSD
	91 µg/m3	24 hr Class II increment for PSD
	50 µg/m3	Annual Class II increment for PSD

Table 3A-24. Measures of Significance – Respirable Particulates (PM10)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors During Operation, then Construction Impacts are Assumed to be Less Than Significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-2 and 6-3 are implemented as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	50 µg/m3	California 24 hour AAQS for PM10
	20 µg/m3	California Annual AAQS for PM10
	5 µg/m3	24 hr Class II significant impact level for PSD
EPA	1 µg/m3	Annual Class II significant impact level for PSD
	30 µg/m3	24 hr Class II increment for PSD
	17 µg/m3	Annual Class II increment for PSD

Table 3A-25. Measures of Significance – Respirable Particulates (PM2.5)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors During Operation, then Construction Impacts are Assumed to be Less Than Significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-2 and 6-3 are implemented as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	12 µg/m3	California Annual AAQS for PM2.5
EPA	35 µg/m3	National 24 hr AAQS for PM2.5
	15 µg/m3	National Annual AAQS for PM2.5

Table 3A-26. Measures of Significance – Toxic Air Contaminants (TACs)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	Not Significant	If Construction Emissions do not exceed CEQA Guide for Ozone Precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of CEQA Appendix G Tables 6-3 and 6-4 are implemented as appropriate.
	10 in 1 million	Carcinogenic Risk Limit for Maximally Exposed Individual
	Hazard Index >1	Chronic and Acute Hazard Index Risk for Maximally Exposed Individual.

Visibility

Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt. Models such as EPA’s VISCREEN are commonly used to assess a project’s visibility impact on Class 1 Areas and military facilities.

The CAAQS for visibility-reducing particles (VRP) is based on a policy determination that a minimum degree of visibility is conducive to public welfare, regardless of location. This policy is implemented as a statewide minimum dry air particle extinction limit of 0.23/kilometer (230 Mm⁻¹) averaged from 9 am to 5 pm (Pacific Standard Time) when relative humidity (RH) is less than 70%. This is roughly equivalent to Vr= 10 miles. Equivalent PM10 concentrations when this standard is just met range from about 50µg/m³ for a fine particle dominated urban setting (e.g., Sacramento in the winter) to 90 or more µg/m³ for a mixture of coarse and fine particles (e.g., Central Valley summer) (California Air Resources Board 2005). The Project in and of itself will not be judged against specific visibility thresholds. However, future proposals within the Project Area would be subject to a determination of significance based on the current visibility thresholds.

Health Risk-Based Thresholds

The California Office of Environmental Health Hazard Assessment (OEHHA) is responsible for setting health risk thresholds for air toxics. These thresholds include reference exposure levels (RELs) for non-carcinogenic toxins that pose potential acute and/or chronic health risks and unit risk factors (URFs) for carcinogens. The RELs and URFs represent exposure levels that OEHHA deems not likely to cause adverse effects in a human population, including sensitive receptors. These thresholds are based on the most recent scientific data and are designed to protect the most sensitive individuals in the population by inclusion of margins of safety. The thresholds approved by SJVAPCD are a potential to increase cancer risk for the person with maximum exposure potential by 10 in one million or a non-cancer hazard index greater than 1 for both acute and chronic exposure (San Joaquin Valley Air Pollution Control District 2002)

There are no thresholds of significance for Valley Fever that have been adopted by the state or by the City. However, the likelihood of its occurrence can be determined based on a project's location.

Construction-Specific Thresholds

The SJVAPCD approach to analyses of construction impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emission concentrations for modeling of direct impacts. PM₁₀ emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM₁₀ emissions from construction. SJVAPCD has determined that compliance with Regulation VIII for all sites and implementation of all other control measures indicated in Tables 6-2 and 6-3 of the GAMAQI (as appropriate, depending on the size and location of the Project site) would constitute sufficient mitigation to reduce PM₁₀ impacts to a level considered less-than-significant (San Joaquin Valley Air Pollution Control District 2002a). SJVAPCD has adopted Rule 9510, the indirect source review rule, which is designed to reduce the construction PM₁₀ by 50% and the construction NO_x by 33.3%. Additionally, project proponents can choose to enter into a VERA as a project design feature to reduce to zero emissions of ROGs, NO_x, and PM₁₀ resulting from a project, exceeding the Rule 9510 requirements.

The Project does not identify site-specific development proposals, but rather allows for the continuation of activities of the Agency through amendments to time and financial limits of the existing Constituent Redevelopment Plans. No specific construction projects are analyzed as part of this SEIR, but subsequent projects programmatically facilitated by the Project would necessarily be subject to all rules and regulations of the SJVAPCD for construction activities. All

practicable mitigation measures would be implemented during the construction phases of the future development within the Project Area.

Climate Change Thresholds

As discussed above, while project-related GHG emissions can be estimated, the direct impacts of such emissions on climate change and global warming cannot be determined on the basis of available science. At this time, the GHG emissions of a single mixed-use development project cannot be connected specifically with global climate change impacts. The Lead Agency, SJVAPCD, CARB, or any other lead agency with climate change expertise have not adopted quantitative GHG emission significance thresholds to assess direct impacts from residential and commercial projects. At the time of certification of the 1998 EIR, climate change impacts and GHG emissions were not included in CEQA documents and there was not state legislation aimed at curbing GHG emissions. Individual CEQA analyses prepared for separate projects within the Project Area would be required to address GHG emissions to the extent that is required by the SJVAPCD, CARB, and EPA at the time of preparation. As this is a developing area of policy, it is likely thresholds will change after the writing of this document.

SB 97 requires the OPR and the California Resources Agency to adopt guidelines for mitigating GHG emissions. As discussed above, OPR's Proposed Amendments indicate that projects should be evaluated based on their cumulative contribution to climate change impacts, and SJVAPCD and other air quality agencies likewise concur that GHG and climate change should be evaluated as a potentially significant cumulative rather than project-specific impact.

AB 32 states, in part, that “[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, global climate change is considered to be a significant cumulative impact. GHG emissions from the Project would contribute to cumulative GHG emissions in California and to the potential adverse environmental impacts of climate change.

CEQA requires the lead agency to determine whether the Project’s contribution to a significant cumulative effect is cumulatively considerable. CEQA authorizes lead agencies to conclude that a project’s incremental contribution to a cumulative effect is not cumulatively considerable, and thus does not require all feasible mitigation measures:

[I]f the Project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the Project is located. [CEQA Guidelines section 15064(h)(3).]

The Project was included as part of the General Plan analysis (City of Fresno 2002) and therefore, the Project has been addressed within the current General Plan and consequently the current AQAP. Future development must comply with its full share of AB 32 obligations by reducing project GHG emissions to approximately 29% below business as usual in order to appropriately mitigate the development's cumulative GHG emission impacts as specified by law. SB 375 is considered an integral part of helping regions achieve this goal through land use and transportation planning. Key provisions of SB 375 include establishing regional targets for GHG emissions and the development of a sustainable communities' strategy within the RTP. At the writing of this document, regional GHG targets have not been set for the San Joaquin Valley region and an SB 375 compliant RTP for the Fresno area has not been certified. Once a sustainable communities strategy is adopted as part of the Fresno RTP, CEQA documents will examine a project's conformity with the regional targets and the sustainable communities strategy. In the interim, individual project's are being assessed by their ability to help or hinder the state achieve AB 32 goals.

While Project emissions would amount to a small fraction of statewide GHG emissions, AB 32's assessment of global warming as posing a "serious threat" warrants consideration of the impact of emissions from the Project on climate change as cumulatively considerable, and triggers compliance with the AB 32 29% reduction from business-as-usual mitigation requirement. However, even with this full share allocation of AB 32 compliance obligations, it will be necessary for many third parties—including but not limited to CARB, EPA, and local air districts—to adopt and fully implement GHG reduction requirements applicable to numerous other economic sectors. The Lead Agency lacks the authority to compel these third party agencies to engage in these activities. These requirements are within the responsibility and jurisdiction of these other public agencies, and can and should be adopted by these other agencies. Thus, based on an abundance of caution and despite the lack of formal criteria for determining the level of significance of a Project's contribution to climate change at this time, the Lead Agency concludes that GHG emissions programmaticallly facilitated by the Project are considerable.

In the absence of defined thresholds, significance conclusions must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064(f)). In addition, under the "rule of reason," an EIR is required to make a good faith effort to evaluate impacts to the extent that is reasonably feasible (CEQA Guideline § 15151). The finding of potential cumulative impacts therefore provides a qualitative discussion of the proposed Project's potential GHG emissions, supported by evidence, to determine whether the proposed Project's emissions would result in some incremental cumulative contribution to global climate change, the significance of which cannot be measured absent a threshold of significance.

Cumulative Thresholds¹

According to GAMAQI, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. If a project impact is individually less than significant, the impacts of the surrounding past, present, and future projects must be taken into account. The cumulative impact discussion is included for full disclosure. Cumulative impacts from GHGs are evaluated against the goals of AB 32, compliance with the SJVAPCD guidelines, and consistency with the Fresno GP Air Quality Element. Cumulative impacts of the Project are discussed in detail in Chapter 4.

Project Impacts

Impact AQ-1. The Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Future development in the Project Area that occurs as a result of the Project could generate substantial emissions from construction and operations that could violate air quality standards. Emissions associated with construction equipment exhaust, fugitive dust emissions, emissions due to energy consumption, and mobile source emissions could exceed thresholds established by the SJVAPCD. However, the Project does not result in additional emissions as compared to the 1998 EIR. The Project will extend time and financial limits associated with the Constituent Redevelopment Plans, but will not induce growth, population, or VMT beyond the existing program. Because the Project does not result in additional development beyond that disclosed in the 1998 EIR, the proposed program remains in conformity with the various air quality plans for the Fresno area.

The 1998 EIR describes that future development in the Project Area would result in construction- and operations-related air quality impacts, and establishes mitigation to comply with current Fugitive Dust rules established by the SJVUAPCD as well as other established construction-period mitigation that includes site watering, high-wind considerations, transport covering, disturbance minimization, construction vehicle speed limits, sweeping requirements, and proper engine maintenance requirements (Redevelopment Agency of the City of Fresno 1998). The 1998 EIR also establishes mitigation for operations-related air quality effects by requiring that all future development within the Project Area comply with current review and permitting procedures developed by the SJVUAPCD as well as comply with other established long-term mitigation, which includes site design criteria for commercial and industrial areas, required

¹ CEQA Guidelines, CCR Title 14 Div. 6 Chapter 3 Art. 9 §15130.

circulation improvements, building design criteria, and pedestrian, and bicycle access accommodation (Redevelopment Agency of the City of Fresno 1998).

The 1998 EIR also acknowledges that “although the mitigation measures [found in the EIR] would temper air quality effects, short-term effects resulting from construction and operations of development would remain significant” (Redevelopment Agency of the City of Fresno 1998). Development as a result of the Project could generate substantial emissions from construction and operations that could violate air quality standards. Emissions associated with future construction equipment exhaust, fugitive dust emissions, emissions from consuming energy such as natural gas, and mobile source emissions could exceed thresholds established by the SJVAPCD. The significance of this impact was disclosed in the 1998 EIR and, except in the areas of GHG emissions and ozone attainment, the Project would not result in new or more severe impacts in this area. GHG emissions are discussed in Impact AQ-3 and ozone (and ozone precursor) emissions are discussed below.

The SJVAB is classified as nonattainment for ozone. Emissions associated with build-out of the Project Area could exacerbate these current air quality violations. The SJVUAPCD’s governing board has voted to request the EPA, through CARB, to reclassify the SJVAB as “extreme nonattainment” for the federal 8-hour ozone standard, which is a change from the “severe nonattainment” status disclosed in the 1998 EIR. CARB has approved the board’s request and has forwarded it to EPA. The request will become effective upon completion of the EPA’s final rulemaking after a notice and commenting process. At the time of writing of this document, the EPA was expected to publish its proposed approval of the reclassification within the month.

This action pushes the deadline for the region to achieve attainment from 2013 to 2024. Modeling studies performed in support of the 2007 Ozone Plan (San Joaquin Valley Air Pollution Control District 2007b) project the entire Valley achieving attainment of the 8-hour NAAQS by 2023 and, in effect, demonstrating that the region could not reach the 2013 target. The reclassification will require increases in air quality permit fees as well as broaden the definition for those subject to certain types of permits. The 1998 EIR determined that full build-out of the Project Area would result in short-term effects from construction and long-term effects due to operation and Project-generated VMT. The extension of the deadline to achieve ozone attainment does not alter this conclusion. Although all businesses, residents, developers, and stationary source permit requestors would be subject to all rules or regulations set forth by the SJVAPCD (and approved by the EPA as part of the SIP) to achieve attainment status, this will only address a portion of the ozone sources generated by development in the Project Area. One of the largest sources of NO_x, an ozone precursor, is vehicle exhaust, particularly diesel exhaust. Vehicle emissions are controlled by CARB. Reduction of vehicle-related emissions can be pursued through community plans, general plans, and RTPs. Key elements of these plans that promote low-VMT development are provided below.

Compliance with all recommended mitigation outlined in Mitigation Measure MM AQ-1 would not reduce air quality impacts to a level of less than significant. Impacts would still be significant and unavoidable.

The 1998 EIR concludes that, with mitigation, impacts on air quality would remain significant and unavoidable as a result of the Project. This SEIR also concludes that, with mitigation, air quality impacts would be significant and unavoidable. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts would result as part of the Project on air quality that have not already been disclosed in the 1998 EIR.

Mitigation Measures

Mitigation Measure MM AQ-1. Recommended Air Quality Mitigation for Future Development

The following general mitigation measures are recommended for all future development within the Project Area.

1. Comply with all SJVAPCD Construction rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the Project Area include:
 - a. Structural Demolition
 - i. Water the following areas for the duration of the demolition activities:
 1. building exterior surfaces;
 2. unpaved surface areas where equipment will operate;
 3. razed building materials; and
 4. unpaved surface areas within 100 feet of structure during demolition.
 - b. Pre-Activity
 - i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time; and
 - ii. phase work to reduce the amounts of disturbed surface area at any one time.
 - c. Active Operations
 - i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking;
 - ii. construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas;

- iii. apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas;
 - iv. limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is also expressly forbidden.); and
 - v. operate construction equipment no longer than 8 cumulative hours per day.
- d. Inactive Operations, Including after Work Hours, Weekends, and Holidays
- i. Effectively stabilize all disturbed areas, including storage piles that are not being actively utilized for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover;
 - ii. apply water or dust suppressants on disturbed surface areas to form a visible crust;
 - iii. restrict vehicle access to maintain the visible crust; and
 - iv. shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15 minute maximum).
- e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days
- i. Restrict vehicular access and apply and maintain water or dust suppressants at all unvegetated areas;
 - ii. establish vegetation on all previously disturbed areas;
 - iii. apply gravel and maintain at all previously disturbed areas; and
 - iv. pave previously disturbed areas.
- f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas
- i. Effectively stabilize all onsite unpaved roads and offsite unpaved access roads of dust emissions using water or chemical stabilizer/suppressant;
 - ii. post speed limit signs of not more than 15 miles per hour at each entrance, and again every 500 feet;
 - iii. apply water or dust suppressants to vehicle traffic and equipment storage areas; and
 - iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%.
- g. Wind Events

- i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and
 - ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled.
 - h. Outdoor Handling of Bulk Materials
 - i. Apply water or dust suppressants when handling bulk materials; and
 - ii. install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants.
 - i. Outdoor Storage of Bulk Materials
 - i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant;
 - ii. cover storage piles with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action; and
 - iii. install and maintain wind barriers with less than 50% porosity around the storage piles, and apply water or dust suppressants; and
 - iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles.
 - j. Onsite Transporting of Bulk Materials
 - i. Limit vehicle speed on the work site; and
 - ii. load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public access road;
 - iii. apply a sufficient amount of water to the top of the load to limit visible dust emissions; and
 - iv. cover haul trucks with a tarp or other suitable cover.
 - k. Offsite Transporting of Bulk Materials
 - i. Clean or cover the interior of emptied truck cargo compartments before leaving the site;
 - ii. prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, and tailgates;
 - iii. cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public access road to or from the Project site and apply a sufficient amount of water to the top of the load to limit visible dust emissions; and
 - iv. install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%.
 - l. Outdoor Transport using a Chute or Conveyor

- i. Fully enclose chute or conveyor;
 - ii. use water spray equipment to sufficiently wet the materials; and
 - iii. wash or screen transported materials to remove fines (PM10 or smaller).
 - m. Valley Fever Mitigation
 - i. All disturbed areas, including storage piles that are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
 - ii. Crews shall be required to use respirators during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
 - iii. Construction roads shall be paved or treated with environmentally safe dust-control agents.
 - iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
 - v. During rough grading and construction, the access way into the Project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents.
 - vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised on reducing exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, and frequently cleaning or replacing air intake filters for air conditioning systems.
2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area source emissions, including rule 9510.
3. Individual projects may exercise the option of entering into a VERA with the SJVAPCD to reduce emissions to less than significant.
4. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable.
5. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies as outlined in the General Plan and General Plan updates. Such measures would encourage alternative transportation. These measures will reduce automobile usage and emissions in the operation of the Project. Proposed policies of the Air Quality Update (City of Fresno 2009) that promote emissions reductions through planning include:
 - a. incorporate multi-use activity centers and high intensity transportation corridor concepts;
 - b. implementation of the City's Urban Growth Management Program;

- c. promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes;
- d. implement mixed-use development guidelines that provide more pedestrian-oriented neighborhoods;
- e. require subdivision and other residential development designs which facilitate pedestrian access to bus stops and other transportation routes;
- f. maintain and improve transit related requirements for development including on-site bus parking;
- g. expand programs to reduce VMT, stop and go traffic and congestion through various strategies such as optimized signal timing, interconnected signals, computer based controls and traffic actuated signals;
- h. aid in completing the City's network of alternative bicycle and pedestrian transportation routes
- i. provide for installation and maintenance of landscaping that promotes good air quality;
- j. support employer programs for staggered work week hours, telecommuting, worker incentives to use carpools and/or public transit;
- k. continue efforts to improve Fresno Area express bus technical performance, emission levels and system operations;
- l. evaluate and pursue long-range transportation measures such as express bus, light rail, mass transit corridors, HOV lanes and the acquisition, by the City, of land to be used for bus turning and parking areas; and
- m. installation of bike lanes, paths, and trails.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Although incorporation of the above mentioned practices and full compliance with all SJVAPCD rules and regulations will certainly temper air quality impacts that result from full build-out of the Project Area, these impacts will not be reduced to a less-than-significant level. The region is in extreme violation of the federal ozone standard as well as PM2.5 standards, and even small emissions from development that occurs as a result of the Project could exacerbate this violation.

Impact AQ-2. The Project would 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.

Air quality impacts were determined to be significant and unavoidable in the 1998 EIR. The Project does not result in additional growth, population, or VMT beyond that disclosed in the 1998 EIR. However, attainment status for various air quality standards has changed since the 1998 EIR and consequently the relative definition of cumulatively considerable increase of a pollutant given the new severity of air quality violations.

The CEQA Guidelines define “cumulative impact” as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (Guidelines Section 15355) (California Code of Regulations 2009). According to the SJVAPCD’s GAMAQI, “any proposed project that would individually have a significant air quality impact . . . would also be considered to have a significant cumulative air quality impact. Impacts of local pollutants (e.g., CO and TACs) are cumulatively significant when modeling shows that the combined emissions from the project and other existing and planned projects will exceed air quality standards.” If a project-related air quality impact is individually less than significant, cumulative impacts may nevertheless be significant based upon an analysis of reasonably anticipated future and past projects with similar air quality impacts, transport considerations, and geographic location.

The SJVAB is currently in nonattainment status for ozone, PM_{2.5}, and PM₁₀ according to the CAAQS. The region is currently in nonattainment for ozone and PM_{2.5} according to the NAAQS and was classified as attainment for PM₁₀ in September of 2008 for the NAAQS. Construction- and operational-related emissions from development provided for by the Project could result in a cumulatively considerable net increase. In accordance with the GAMAQI, the following cumulative impacts have been analyzed:

- **Cumulative Ozone Impacts.** Ozone impacts are the result of the cumulative emissions from numerous sources in the region and transport from outside the region. Ozone is produced in chemical reactions involving ROG_s, NO_x, and sunlight.
- **Cumulative PM₁₀ and PM_{2.5} Impacts.** PM₁₀ and PM_{2.5} have the potential to cause significant local problems during periods of dry conditions accompanied by high winds and during periods of heavy earth disturbing activities. PM₁₀ and PM_{2.5} may have cumulative local impacts, if, for example, several unrelated grading or earth-moving projects are underway simultaneously at nearby sites.

At the time of certification of the 1998 EIR, the region was in nonattainment for ozone and PM₁₀. Emissions associated with future construction equipment exhaust, fugitive dust emissions, emissions from consuming energy such as natural gas, and mobile source emissions could exacerbate poor air conditions in the region. The significance of this impact was disclosed in the 1998 EIR. Since

1998, the region has achieved attainment status for PM10, but requested a reclassification of the ozone nonattainment status to extreme indicates that ozone levels have worsened since 1998. Additionally, the region is in nonattainment for PM2.5, which was not the case in 1998, as this regulation was not adopted at that time. Reclassification to extreme nonattainment by the EPA has several implications for the region which were discussed above, most importantly an extension of the time by which the region should achieve the standard (2024).

Air quality impacts were determined to be significant and unavoidable in the 1998 EIR. The 1998 EIR acknowledges that “[c]umulative effects related to the build-out of the redevelopment area would be significant” (Redevelopment Agency of the City of Fresno 1998). Due to thresholds and standards becoming more stringent since the certification of the 1998 EIR and the reclassification of the region as extreme non-attainment for ozone, the Project may result in a new and more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.

Compliance with all recommended mitigation outlined in Mitigation Measure MM AQ-1 would not reduce air quality impacts to a level of less than significant. Impacts would still be significant and unavoidable.

The 1998 EIR concludes that, with mitigation, impacts on air quality would remain significant and unavoidable as a result of the Project. This SEIR also concludes that, with mitigation, air quality impacts would be cumulatively considerable and therefore, significant and unavoidable. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts would result as part of the Project on air quality that have not already been disclosed in the 1998 EIR.

Mitigation Measures

Mitigation Measure MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development

- Implement Mitigation Measure AQ-1 to the extent they are applicable.
- Conform with 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable.
- Design Projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Although incorporation of the above mentioned practices and full compliance with all SJVAPCD rules and regulations will certainly temper air quality impacts that result from full build-out of the Project Area, these impacts will not be reduced to a less-than-significant level. The region is in extreme violation, of the federal ozone standard as well as PM2.5 standards and even small emissions from development that occurs as a result of the Project could exacerbate this violation.

Impact AQ-3. The Project would contribute to greenhouse gas emissions resulting in global climate change.

The cause of global climate change is generally accepted to be the increased release of GHGs into the atmosphere from human activities, most notably the burning of fossil fuels and land use change. Projected GHG emissions that result from development within the Project Area are miniscule in comparison with current or projected future global GHG emissions. Attributing any observed climate change solely to the emissions from the Project Area would be highly speculative. Without the necessary science and analytical tools, it is not currently possible to assess, with certainty, whether the Project's unique contribution would be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. However, CEQA does note that the more severe the existing environmental problems are, the lower the thresholds for treating a project's contribution to cumulative impacts as significant.

The 1998 EIR did not provide a discussion of GHG emissions or climate change impacts, and such a discussion is not currently required by the CEQA Statutes or Guidelines. However it is the view of the State Legislature (as expressed in its adoption of Assembly Bill 32, the California Climate Solutions Act of 2006, that global warming poses significant adverse effects to the environment of the state of California and the entire world. Additionally, the California Attorney General has contended in letters to other agencies that "the lack of official thresholds and guidelines does not absolve the [Agency] from the obligation under CEQA to determine the significance of, or adopt feasible mitigation for, the anticipated GHG emissions [for a Project]." Therefore, the following discussion describes Project GHG emissions as impacts in a cumulative context and identifies corresponding mitigation measures for these impacts. This section concludes that GHG emissions from development within the Project Area are significant and unavoidable.

Build-out of the Project Area would result in short-term emissions from construction and long-term emissions from operations (mobile and area source). Project construction would generate CO₂, CH₄, and N₂O emissions from the following sources: heavy-duty construction equipment operating on the Project site, mobile-source emissions attributed to construction workers that would travel to and from the Project site, and haul/delivery trucks that would travel to and from the Project site. In addition, GHG emissions would occur as a result of

embodied emissions such as paving and due to land use changes in the Project Area. Estimation of GHG emissions from fuel consumption, VMT, cement manufacture and other select industrial processes are standard calculations and various protocols for performing these calculations are available such as the California Climate Action Registry's General Reporting Protocol (California Climate Action Registry 2009). Quantification of embodied emissions associated with building material manufacture currently involves large uncertainty due to the complex nature of the manufacturing and transportation processes involved with all materials used in the construction and operation of future development. Estimations of embodied emissions for project-level GHG inventorying are not yet standard practice. Quantification of land use change emissions also has a high degree of associated uncertainty due to the currently imprecise quantifications of above- and below-ground carbon stocks, as well as uncertainties associated with the carbon sequestration potential of the Project subsequent to development. As scientific tools and methodologies improve, calculations of embodied emissions and emissions due to changing a natural to an urbanized landscape will become more reliable. Construction-related GHG emissions would necessarily be quantified from each future development within the Project Area at the time of CEQA analysis and using the most up to date quantification tools. Subsequent developments will necessarily compare project-level GHG inventories with the appropriate GHG thresholds current at the time.

Future operations within the Project Area would generate GHG emissions from a variety of sources, including on-road vehicle travel, electricity consumption, natural gas consumption, area source emissions, water supply and distribution, waste generation, wastewater treatment and public lighting. An analysis of GHG emissions within the Project Area was not required at the time of the 1998 EIR. Full build-out of the Project Area could result in increased VMT and increased energy use and consequent increases in GHG emissions. Scientific tools and appropriate methodologies are available for estimating GHG emissions from many GHG sources associated with operations of likely development within the Project Area, and future CEQA analyses in support of these should include an as thorough as possible inventory of each future development's GHG emissions.

The Draft Air Quality Update (City of Fresno, 2009), released in May of 2009, proposes an amendment [Policy G-1B-a(2)] whereby the City, "After protocols and parameters for GHG analysis, inventorying and benchmarking are ratified by the State of California and the SJVAPCD, the City shall participate in GHG emission inventory and benchmarking efforts to evaluate the current status of emissions for the incorporated City and for City facilities, and shall use this information to set appropriate targets for the City's proportionate responsibility to achieve GHG reductions in order to achieve compliance with AB32 mandates to roll back GHG levels to 1990 levels." However, at the time of writing of this document, the City has not yet performed a GHG inventory nor prepared an associated plan to achieve reduction targets. Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant would conduct individual CEQA analyses to address project-level GHG emissions. GHG emissions would be estimated and compared with the

appropriate GHG thresholds current at that time, as well as against local and regional targets set by the City and/or the region.

Mitigation Measures

Mitigation Measure MM AQ-3. Use of Adopted GHG Protocols, Standards, and Thresholds of Significance

Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving developments. All projects shall comply with the requirements of the SJVAPCD, as they may be amended in the future, for GHG reductions.

Mitigation Measure MM AQ-4. Recommended GHG Emissions Reductions Achieved through AB 32 Scoping Plan, Title 24 Standards, and Local Measures

GHG Emission Reductions from the AB 32 Scoping Plan

CARB is the lead agency for implementing AB 32. CARB has met several milestones towards achieving the State's goals: 1) develop a list of discrete early actions (California Air Resources Board 2007), 2) assemble an inventory of historic emissions (California Air Resources Board 2009c), 3) establish GHG emissions reporting requirements, and 4) set a 2020 emissions limit. In December of 2008, CARB released a Scoping Plan (California Air Resources Board 2008b) outlining the state's strategy to achieve the 2020 target. Development within the Project Area shall be consistent with the State's strategy and that does not impede the state's ability to achieve the goals set forth in AB 32. Several measures identified by the Scoping Plan will reduce GHG emissions within the Project Area without additional action from the City or the SJVAPCD. These measures are broadly grouped by targeted sector and discussed below.

Transportation

- Adopted by the Legislature in 2002, AB 1493, known as the Pavley Standards, requires GHG emission reduction from passenger cars and light-duty trucks. In 2005, CARB submitted a request to the EPA under the CAA for a waiver to authorize implementation of regulations to implement AB 1493. Although EPA denied this waiver in 2007, in May of 2009 President Obama announced new national standards in line with those proposed by Pavley. CARB estimates that the Pavley Standards will result in a reduction of nearly 20% of GHGs associated with motor vehicle use statewide. The Scoping Plan also recommends additional strategies to reduce GHG emissions associated with passenger vehicles, including the Zero-Emission Vehicle Program and the Alternative and Renewable Fuel and Vehicle Technology Program.
- Executive Order S-01-07 requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB.

- The Scoping Plan includes a target of 5 MMT CO₂e reductions per year for regional transportation, but also notes that targets for this sector will also be set by the SB 375 process, which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions.
- Additional measures identified in the Scoping Plan that would reduce light-duty vehicle GHG emissions include implementation of a tire pressure program, imposition of tire tread standards, reduction of engine load via lower friction oil use, and requiring solar reflective automotive paint and window glazing.
- Retrofits to improve the fuel efficiency of heavy-duty trucks could include a requirement for devices that reduce aerodynamic drag and rolling resistance. Hybridization of medium- and heavy-duty vehicles would increase fuel economy.

Electricity and Natural Gas

- Set new targets for statewide annual energy demand reductions of 32,000 gigawatt hours from business as usual. This strategy requires increased utility energy efficiency programs, more stringent building and appliance standards, and additional efficiency and conservation programs.
- Set a target of an additional 4,000 MW of installed combined heat and power capacity by 2020. Development of efficient combined heat and power systems would help displace the need to develop new, or expand existing, power plants.
- In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy approval process and increase the state's renewable energy standard to 33% by 2020, meaning that a third of California's energy will be produced from renewable resources rather than fossil fuels.
- As part of Governor Schwarzenegger's Million Solar Roofs Program, signed into law in 2006, California has set a goal of installing 3,000 MWs of new solar capacity by 2017. This renewable energy measure would reduce the amount of electricity required from centralized power plants, thereby reducing GHG emissions.

Commercial and Residential

- In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy.
- Set new targets for statewide commercial and residential energy consumption reductions of 800 million therms. This strategy requires utility efficiency programs, building and appliance standards, and additional efficiency and conservation programs.
- In 2007, the Legislature passed the Solar Hot Water and Efficiency Act, which authorized a 10-year, \$250 million incentive program for solar water heaters with a goal of promoting installation of 200,000 heaters by 2017.

Water

- A number of measures intended to decrease water use are included in the Scoping Plan. These measures include increasing water efficiency, water recycling, water system energy efficiency, and renewable energy production. These measures will result in indirect GHG reductions through reduced energy requirements and, therefore, overlap with the reductions outlined in the electricity and natural gas sector.

Recycling and Waste Management

- Reduce methane emissions from municipal solid waste landfills by requiring gas collection and control systems on landfills where these systems are not currently required and will establish statewide performance standards to maximize methane capture efficiencies. Additionally, as part of this process, CARB and CIWMB staff will explore opportunities to increase energy recovery from landfill methane gas. In April 2008, the CIWMB released a report prepared by SCS Engineers entitled “Technologies and Management Options for Reducing Greenhouse Gas Emissions from Landfills.” This report sets out a variety of BMPs from which landfill operators can choose in order to reduce the methane emissions associated with their operations, and provides a process by which to implement these measures.
- Reduce GHGs by reducing the energy use associated with the acquisition of raw materials in the manufacturing stage of a product's life-cycle.

High Global Warming Potential Measures

- Reduces GHG emissions associated with high global warming potential (GWP) materials in consumer products. High GWP chemicals are commonly used in consumer products, including refrigerators and air conditioners.

Green Buildings

- Comprehensive approach to reducing direct and upstream GHG emissions that cross-cuts multiple sectors, including electricity and natural gas, water, recycling and waste, and transportation. In July 2008, the California Building Standards Commission adopted the Green Building Standards Code for all new construction in the state. Initially, these measures are voluntary, but a mandatory code is planned to become applicable in 2011. A total of 26 MMTCO₂e in GHG emission reductions is estimated to occur under this program, which includes both new construction and building retrofits.

GHG Emissions Reductions from the 2009 Title 24 Standards

The 2009 Building Energy Efficiency Standards for residential and nonresidential buildings will become effective on August 1, 2009. Implemented through changes to Title 24, the 2009 Title 24 Standards include requiring cool roof compliance and changes to lighting standards. The 2009 Title 24 Standards are expected to result in reductions of approximately one ton per household per year of CO₂e. (California Energy Commission 2008.)

GHG Emissions Reductions Achieved Through Local Measures

SJVAPCD has published air quality guidelines for general plans, which include goals, policies, and programs designed to improve air quality by implementation of design features that reduce vehicle trips and miles traveled. Design features that reduce criteria pollutant emissions also reduce GHG emissions through a reduction in VMT. Design guidelines set forth by the SJVAPCD to reduce VMT shall be strongly encouraged within the Project Area. The Lead Agency would strongly encourage the incorporation of all feasible measures, policies, and procedures that reduce GHG emissions from future development within the Project Area.

Many of the measures and policies set forth in the Fresno General Plan that aim to reduce criteria pollutant emissions (listed above in Mitigation Measure MM AQ-1) also reduce GHGs. Additionally, the following measures as listed in the Draft Air Quality Update to the General Plan (City of Fresno 2009) shall be pursued, where feasible:

- Encourage development proponents to offset or mitigate emissions by removing older, less efficient and higher emitting vehicles from service.
- Control and reduce air pollution emissions from City operations and facilities.
- Development of renewable energy projects and programs.
- In cooperation with other jurisdictions and agencies in the SJVAB take steps to reduce GHG emissions.
- Conduct a GHG inventory.
- Develop a policy for emission credits generated through City facilities, programs, and policies.
- Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to City jurisdiction.
- Consider strengthening City standards for purchasing low polluting and climate friendly goods and services.
- Prioritize energy and water conservation through various measures.
- Maintain current levels of achievement for recycling and reuse.
- Make transportation services more efficient.
- Continue to enhance landscaping consistent with energy and water conservation principles.

Future development within the Project Area will be consistent with the City's, SJVAPCD's, and other regional goals and policies set forth aimed at reducing GHG emissions in the region. Because this is a highly dynamic area of policy, many of the policies and regulations will develop over the lifetime of the Project. Prior to the approval and issuance of Development Project-related entitlements,

the Development Project applicant shall be required to achieve consistency with the most current guidance and plans in accordance with this mitigation measure and then-current laws and regulations.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Adoption of the measures cited above when fully incorporated into future development within the Project Area, where feasible, will lessen GHG emissions from within the Project Area and potentially even achieve a reduction target of 29% below BAU as stated in AB 32. Without a quantitative analysis of GHG emissions from specific construction and operations proposed, it is not possible to know if the above listed measures would indeed achieve that target. Nevertheless, for the Project to achieve a broad reduction goal of 29% below BAU, in line with the state's goals, action is also required of many third parties—including but not limited to CARB, EPA, and local air districts—to adopt and fully implement GHG reduction requirements applicable to numerous sectors as described above. The Lead Agency lacks the authority to compel these third-party agencies to engage in these activities. The Lead Agency concludes that these requirements are within the responsibility and jurisdiction of these other public agencies, and can and should be adopted by these other agencies. However, as set forth in Mitigation Measure MM AQ-3, once these other agencies adopt these goals, thresholds, and reduction requirements, subsequent projects shall be required to utilize these goals, thresholds, and reduction requirements for purposes of assessing a particular project's cumulative impacts on GHGs and determining appropriate mitigation measures to place on the project to address these cumulative impacts. Thus, based on an abundance of caution and despite the lack of formal criteria for determining the level of significance of a Project's contribution to climate change at this time, the Lead Agency concludes that GHG emissions from the Project are cumulatively considerable.

Section 3B
Cultural Resources

Introduction

This section provides a description of the cultural resources setting of the Project Area, the regulatory context of the Project, and the potential impacts on cultural resources caused by the Project. The setting and analysis provided in this section are based on the 1998 EIR, and supplemented through existing conditions.

The IS/NOP (see Appendix A) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would:

- directly or indirectly impact or damage to any unique prehistoric archaeological resources;
- directly or indirectly destroy any unique paleontological resources or sites or unique geologic features; or
- disturb any human remains, including those interred outside of formal cemeteries.

No comments were received during the 30-day review period for these issues. Therefore, these issues are not addressed further in this section.

Environmental Setting

The following environmental setting for cultural resources includes the historic archaeological and historic context of the Project Area.

Historic Archaeological Context

The 1998 EIR determined that the Project Area does not contain any known archaeological resources (Redevelopment Agency of the City of Fresno 1998).

Since the 1998 EIR, there have been discussions that the Chinatown Expanded Redevelopment Project Area may contain historic tunnels that connect existing underground structures, such as existing basements. The *Fresno Chinatown Project Extended Phase I Study* (J & R Environmental Services 2008) included three components: 1) a catalogue of pre-World War II Japanese ceramics, 2) a report on the Ground Penetrating Radar (GPR) investigation of the Chinatown tunnels, and 3) findings from the first-ever sub-surface archaeological project in the City.

Additionally, the so-called Germantown area found within the Project Area may also contain previously unknown cultural resources. *Germantown, Fresno Historic Context* was prepared by Architectural Resources Group (2006a). The report documents the history of the Volga Germans who first settled in Fresno in 1887, including the following passage from the introduction:

Germantown is composed primarily of one-story bungalows and large religious structures dating from the late nineteenth century through the mid-twentieth century. The bulk of construction in Germantown occurred between the late 1800s, when the construction of Fresno's West Side commenced, to the 1930s when the number of buildings constructed diminished due to the Great Depression and other economic pressures. Few structures from the nineteenth century remain. Over the years the character of Germantown has been greatly affected by the demolition and alteration of buildings and the construction of freeways.

There may be historic archaeological resources related to the buildings that were demolished and the activities that once surrounded them.

Old Armenian Town may also be the source of previously unknown cultural resources. The first Armenians arrived in the Fresno area about 1881 and tended to settle southwest of the Southern Pacific Railroad tracks, mostly in the 300 block of G Street or on F Street (Bulbulian 2001 as cited in Myra L. Frank & Associates 2002). At its zenith from 1915 to 1939, Armenians populated the entire area between Kern and Los Angeles streets, Broadway, and O Street (Bulbulian 2001 as cited in Myra L. Frank & Associates 2002). By the 1960s, younger Armenians began moving to newer areas of town. Although some Armenians stayed in the old area, by the 1970s, Armenian Town was no longer identifiable as a community (Bulbulian 2001 as cited in Myra L. Frank & Associates 2002). The most evident transformation of Old Armenian Town has been the demolition or removal of older buildings with their lots left empty or paved for surface parking. In 1980, the most significant change in the physical make-up of the area occurred with the construction of SR-41, which eliminated San Benito Street and essentially divided Old Armenian Town into two sections, north and south. The freeway blocked north/south through traffic on Fulton, L, and N Streets, and associated on- and off-ramps and access roads have also altered the street grid through the middle of the area. There may be historic archaeological resources related to the buildings that were demolished and the activities that once surrounded them.

Historic Context

The following existing conditions discussion briefly describes the previous historic surveys performed in the Project Area and lists potential historic districts that are recommended for nomination by these surveys.

Existing Conditions

Survey Study Area

The Project Area contains numerous historic structures that are listed on the City's Local Register of Historic Resources (Local Register) or that may be eligible for the California Register of Historic Resources (California Register or CRHR) and/or National Register of Historic Places (National Register or NRHP) (Redevelopment Agency of the City of Fresno 1998). In addition, there are areas (L Street District, St. John's Cathedral District, Santa Fe Warehouse District, Bellevue Bungalow District, East Madison Historic District, and North Park Historic District) within the Project Area that have been called out as "potential" historic districts in prior City plans, environmental documents, and/or surveys (Historicfresno.org 2009). There are also likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources. The City of Fresno's entire Local Register is posted at www.historicfresno.org.

Previous Historic Surveys

The 1998 EIR provided lists of historic buildings within the existing Constituent Project Areas (Redevelopment Agency of the City of Fresno 1998, Table 3.15-1), within the proposed Fulton Constituent Project Area (Redevelopment Agency of the City of Fresno 1998, Table 3.15-2), and within the proposed South Van Ness Industrial Redevelopment Area (Redevelopment Agency of the City of Fresno 1998, Table 3.15-3). The lists were obtained from national, state, and local designation inventories, and from the results of surveys within the Project Area (see below).

Patnaude Survey (1976)

The Patnaude Survey was an important early survey of the downtown Fresno area. The Patnaude Survey served as the initial database used to establish the Local Register (Redevelopment Agency of the City of Fresno 1998).

Supplementary Historic Building Survey (Ratkovich Plan) (1994)

Powell and McGuire (1994) documented the results of a reconnaissance-level survey of approximately 1,500 acres within the downtown triangle (bounded by SR-180 on the north, SR-41 on the east, and SR-99 on the west). The survey completed in 1994 was *Supplementary Historic Building Survey, Historic Resources Survey (Ratkovich Plan), Fresno, California* (Ratkovich Survey). The Ratkovich Survey encompassed all the Constituent Project Areas contained within the Project Area with the exception of the South Van Ness Industrial Constituent Project Area. The Ratkovich Survey assessed 2,490 properties, listed 159 properties that appeared eligible for inclusion in the Local Register, identified six potential historic districts, and formally evaluated 50 properties as potentially eligible for the Local Register.

Please note that the Ratkovich Survey is limited in that it was a reconnaissance-level survey, where funding only allowed for the full evaluation of 49 buildings and one park of the approximately 2,500 resources reviewed for the survey. No substantial documentation survives for the other approximately 2,450 resources in the Ratkovich Survey's study area.

The Ratkovich Survey identified the following six potential historic districts:

- St. John's Cathedral District—district falls far short of federal standards for districting, it is recommended that an exception be made for local level designation (historicfresno.org 2009).
- L Street District—this district is still proposed (historicfresno.org 2009).
- Santa Fe Warehouse District—this district is still proposed (historicfresno.org 2009).
- Bellevue Bungalow District—this district is still proposed (historicfresno.org 2009).
- East Madison Avenue District—this district is still proposed (historicfresno.org 2009); and
- North Park Historic District—this district is still proposed (historicfresno.org 2009).

Old Armenian Town Survey (2002)

Myra L. Frank & Associates (now ICF) (2002) conducted a field survey of Old Armenian Town as part of the environmental work conducted for the City's Mitigated Negative Declaration prepared for the Old Armenian Town Courthouse Project, City of Fresno EA No. C-02-61. The Old Armenian Town boundary was mapped on an aerial photograph, and structures were highlighted that appeared to date from the period of the earliest development (1880–1920) and from the period of significance for Old Armenian Town (1915–1939). In

addition, Myra L. Frank & Associates executed an intensive-level survey of all pre-1957 buildings located within the proposed Old Armenian Town project site.

The “Bungalow Court” Survey (2004)

The “Bungalow Court” Survey was prepared in September 2004 by City staff and consultants Dana Supernowicz and Jon Brady with partial funding from the Office of Historic Preservation (City of Fresno 2004). A reconnaissance survey was first conducted on 128 bungalow courts, in which thirteen of the oldest and/or most architecturally significant of the 128 courts reported were then documented by the consultants on state survey forms. The survey evaluated individual courts for listing on the Local Register and suggested that a thematic historic district of many of the courts could be developed.

The Bungalow Court Survey identified the following bungalow courts in the downtown “triangle” area as eligible for the Local Register:

- 1232 P Street;
- 1325 M Street; and
- 1331 N Street

The Bungalow Court Survey identified the following bungalow court in the downtown “triangle” area as eligible for the California Register:

- 950-960 E. Divisadero

Broadway Row Historical Resource Survey (2004)

The Broadway Row Historical Resource Survey was completed in 2004, and contained 16 properties located within the boundaries of a development project. The area is bound by Stanislaus Street to the north, Fulton Street to the east, Tuolumne Street to the south, and H Street to the west. The survey concluded that:

- nine properties appear to be contributors to a historic district eligible for the California and Local Registers;
- three properties are listed on the California and Local Registers;
- two properties appear to be eligible for the California and Local Registers;
- one property has been determined to be eligible for the National Register;
- one property appears ineligible for any Register; and
- additional research is needed to document potential contributors to the Fresno Automotive Warehouse District.

Chinatown Historic Resource Survey (2006)

The Chinatown Historic Resource Survey was completed in 2006, and included survey forms for buildings within the 6-block heart of Fresno's historic Chinatown (Architectural Resources Group 2006b). The Chinatown Survey Area was bounded by Mariposa, Inyo, E, and G Streets. Within that area, a potential local district was identified, and the eighteen contributing properties were located at China Alley, F Street, Fagan Alley, Kern Street, and Tulare Street. In addition, the following potentially eligible properties were identified:

- four properties on China Alley and F Street appeared to be individually eligible for the National Register;
- eight properties on China Alley, F Street, Kern Alley, and Fagan Alley appeared to be individually eligible for the California Register;
- ten properties on China Alley, F Street, Fagan Alley, Kern Street, and Tulare Street appeared to be individually eligible for the Local Register (four of which had been previously listed); and
- nine properties on F Street and Inyo Street appeared to be individually eligible as a Fresno Heritage Property.

Germantown, Fresno Historic Context (2006)

The Germantown, Fresno Historic Context was prepared by Architectural Resources Group (2006a). The report documents the history of the Volga Germans who first settled in Fresno in 1887, as well as a field survey of the former Germantown neighborhood. Germantown encompasses the blocks bounded by Church Street, Mono Street, G Street, and Fruit Street. As a result of the preliminary field survey and research conducted, a framework has been established for an intensive building-by-building survey in the future. No findings were presented in the report.

City of Fresno Arts-Cultural District (2006 and 2007)

The City of Fresno Arts-Cultural District Historic Property Survey Report was conducted in two phases by Urbana Preservation and Planning (2006 and 2007). The first phase included preparation of survey forms for all properties within the 16 blocks of the City's arts district. The second phase documented the additional properties in the Upper Triangle of this neighborhood up to East Divisadero Avenue. A Fulton Street Commercial District, two residences, and a "Luau" Tiki sign eligible were identified by the consultants as potentially eligible on the local level. However, City staff opposed one residence for designation, and requested further research into the potential eligibility of the Tiki sign.

Fresno Chinatown Project Extended Phase I Study (2008)

The Fresno Chinatown Project Extended Phase I Study included three components: 1) a catalogue of pre-World War II Japanese ceramics, 2) a report on the GPR investigation of the Chinatown “tunnels,” 3) and findings from the first-ever sub-surface archaeological project in the City (J & R Environmental Services 2008).

Mid-Century Modernism Historic Context (2008)

The Mid-Century Modernism Historic Context includes information and interviews with leading architects and designers who worked in Fresno from 1940-1970 (Planning Resource Associates, Inc. 2008). In addition to the context, a reconnaissance-level survey of mid-century properties was performed. As a result of the survey, the consultant found all buildings previously listed on the Local Register to retain their significance. Of the buildings previously found significant but not formally listed, two more buildings were found to be eligible for local listing and one building eligible for the California Register.

South Stadium Project Area Phase I Area (2008)

The South Stadium Project Area Phase I Area documented the pre-1960 properties in the 6-block area bounded by Tulare Street to the north, Van Ness Avenue to the east, Yosemite Freeway (SR-41) to the south, and the Southern Pacific Railroad tracks to the west (Page and Turnbull, Inc. 2008). The report provides a detailed discussion of the status of existing historic buildings that were previously surveyed in 1977 and 1994 within the Project Area. Land use in the area largely consists of automotive properties. As a result of the survey update, the consultant found all buildings previously listed on the Local Register to retain their significance. Of the buildings previously found significant but not formally listed, two more buildings were found to be eligible for local listing and one building eligible for the California Register.

North Park Historic Survey (2009)

North Park Historic Survey was completed for the western half of this neighborhood (Galvin Preservation Associates 2009). The survey was bounded between Roosevelt Avenue to the west, East Divisadero Street to the south, State Route 180 to the north, and the east side of College Avenue to the east. The neighborhood is made up of single-family residential buildings, although there are a few commercial buildings located along the southern boundary and a few multi-residential buildings spotted throughout. The 1994 Ratkovich Survey identified the potential North Park Historic District to include the area bounded by the 180 Freeway to the north and west, Divisadero Street to the south, and Blackstone Avenue to the east.

The consultant recommended nominating a National Register District along Van Ness Avenue and two smaller Local Register districts as well as 10 properties eligible for local designation.

- The “North Park National Register District” boundary was revised to be the SR-180 to the north, the west facing side of Yosemite Avenue to the west, the east facing side of N. Van Ness to the east, and Nevada Avenue to the south.
- The “Lower Van Ness Local Historic District” is located on the 100 block of Van Ness Avenue, south of Nevada Avenue.
- The “Yosemite Avenue Worker’s Cottage Local Historic District” is located on the 100 block of N. Yosemite Avenue between Nevada Avenue on the north and Voorman Avenue on the south.

Environment Setting

Regulatory Setting

Cultural resources fall within the jurisdiction of several levels of government. Federal laws provide the framework for the identification, and in certain instances, protection of historic resources. Additionally, states and local jurisdictions play active roles in the identification, documentation, and protection of such resources within their communities.

Numerous laws and regulations require federal, state, and local agencies to consider the effects of a proposed project on cultural resources. These laws and regulations stipulate a process for compliance, define the responsibilities of the various agencies proposing the action, and prescribe the relationship among other involved agencies (e.g., State Historic Preservation Office and the Advisory Council on Historic Preservation). The National Historic Preservation Act (NHPA) of 1966, as amended; CEQA; the California Register; Public Resources Code (PRC) 5024; and the City of Fresno preservation ordinance and General Plan policies are the primary laws and regulations governing and affecting preservation of historic resources of national, state, regional, and local significance. A description of these laws and regulations is provided below.

Federal

National Register of Historic Places

First authorized by the Historic Sites Act of 1935, the National Register was established by the National Historic Preservation Act of 1966, as “an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate

what properties should be considered for protection from destruction or impairment.” The National Register recognizes properties that are significant at the national, state, and local levels.

To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. Four criteria have been established to determine the significance of a resource:

- it is associated with events that have made a significant contribution to the broad patterns of our history;
- it is associated with the lives of persons significant in our past;
- it embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- it yields, or may be likely to yield, information important in prehistory or history.

A property eligible for the National Register must meet one or more of the above criteria. In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for National Register listing.

State

The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level through its statewide comprehensive resource surveys and preservation programs. The OHP also maintains the California Historical Resource Inventory and oversees the California Register. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the state’s jurisdiction.

California Environmental Quality Act

The Project is governed by CEQA. In accordance with Section 21084.1 of CEQA, the Project would have a significant adverse environmental impact if it causes a substantial or potentially substantial adverse change in the significance of a historical resource.

According to CEQA [PRC Section 21084.1], historical resources include any resource listed, or determined eligible for listing, in the CRHR. Properties listed, or determined eligible for listing, in the NRHP, such as those identified in the

Section 106 process, are automatically listed in CRHR. Therefore, all “historic properties” under federal preservation law are automatically “historical resources” under state preservation law. Historical resources are also presumed to be significant if they are included in a local register of historical resources or identified as significant in a qualified historical resource survey.

As defined under state law in Title 14, California Code of Regulations (CCR) Section 4850, the term “historical resource” means:

Any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or which is significant to the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural history of California.

For the purposes of CEQA, historical resource is further defined under PRC Section 15064.5 as a “resource listed in, or determined eligible for listing in the California Register.”

Section 15064.5 of the State CEQA Guidelines sets forth the criteria and procedures for determining significant historical resources and the potential effects of a project on such resources. Generally, a cultural resource is considered by the lead state agency to be historically significant if the resource meets any of the following criteria for listing in the CRHR:

- the resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- the resource is associated with the lives of persons important in our past;
- the resource embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of an important creative individual or possesses high artistic values; or
- the resource has yielded, or may be likely to yield, information important in prehistory or history.

The cited statutes and guidelines specify how cultural resources are to be managed in the context of projects such as the Project. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Prehistoric and historical resources deemed historically significant must be considered in project planning and development.

California Register of Historical Resources

Created by Assembly Bill 2881, which was signed into law on September 27, 1992, the California Register is “an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be

protected, to the extent prudent and feasible, from substantial adverse change.” The criteria for eligibility for the California Register are based upon National Register criteria. Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

The California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; or
- those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources which may be nominated to the California Register include:

- individual historical resources;
- historical resources contributing to historic districts;
- historical resources identified as significant in historical resources surveys with significance ratings of Category 1 through 5; or
- historical resources designated or listed as local landmarks, or designated under any local ordinance, such as a historic preservation overlay zone.

California Public Resource Code 5024.1(g)

The requirements of PRC 5024.1(g) referenced in the CEQA Guidelines are as follows:

A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

- The survey has been or will be included in the State Historic Resources Inventory.
- The survey and the survey documentation were prepared in accordance with office procedures and requirements.
- The resource is evaluated and determined by the office [of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523.
- If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify

historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

Local

City of Fresno

City policies for identifying, evaluating, and protecting historical resources are found in the General Plan (Resources Conservation Element) and within the City of Fresno Historic Preservation Ordinance (Fresno Municipal Code, Article 16, Chapter 12). In addition, several specific plans address historical resources. The General Plan sets forth the City's policies and objectives regarding historical resources. In general, the City seeks to: foster community pride, attract visitors and tourists to distinctive areas, provide recreational opportunities, enhance educational opportunities, and augment the body of scientific and historic knowledge through identification, appropriate recognition, and promotion of historic and cultural resources [Historic Resources Section G-10].

The City's Historic Preservation Ordinance establishes a Historic Preservation Commission and a Local Register. Adopted in 1979, the ordinance defines a historic resource as any building, structure, object, or site that is at least 50 years of age, possesses integrity, and is associated with significant events, individuals, or patterns of history. Before any building or structure is designated a historic resource it has to be "designated as such by the Council pursuant to the provisions of the Historic Preservation Ordinance" [Fresno Municipal Code 12-1603(o)].

The City of Fresno is also a Certified Local Government (CLG) under an agreement with the State of California. This agreement allows the City to conduct environmental reviews mandated under CEQA and the NHPA, which would normally be conducted at the state level. As a CLG, the City has numerous obligations, including review of the performance of historic surveys according to state standards.

Impacts and Mitigation

Methodology

Impacts on cultural resources from the proposed Project and alternatives were evaluated by determining whether demolition, adverse changes, relocation, or ground disturbance activities would adversely affect areas that contain or could contain any historic archaeological resources or historic properties listed in or eligible for listing in the NRHP or CRHR, or that are designated or eligible for

local landmark designation or that would be included within a City of Fresno designated or potentially eligible historic district.

According to CEQA Guidelines (14 CCR 15064.5), a project with an effect that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment (14 CCR 15064.5[b]). CEQA further states that a substantial change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historic resource would be materially impaired. Actions that would materially impair the significance of a historic resource are any actions that would demolish or adversely alter those physical characteristics that convey its historic significance and qualify it for inclusion in CRHR, Local Register, or survey that meets the requirements of PRC Sections 5020.1(k) and 5024.1(g).

Criteria for Determining Significance

As stated in the 1998 EIR, “effects related to cultural resources would be considered to be potentially significant if the project would alter or destroy a prehistoric or historic archaeological site so that the ability to extract important information from the site is compromised or the project adversely affects the criteria under which a site or building is eligible for listing on the City’s Official Local Register; or ethnic cultural values or religious or sacred uses are adversely affected.”

The CEQA Guidelines state that a project involves a “substantial adverse change” when one or more of the following occurs:

- Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- The significance of a historical resource is materially impaired when a project:
 - demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
 - demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a Local Register pursuant to section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

- ❑ demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

The *Secretary of the Interior's Standards for Rehabilitation* (Standards) are codified at 36 Code of Federal Regulations (CFR) Section 67.7. The Standards are designed to ensure that rehabilitation does not impair the significance of a historic property. In most circumstances, the Standards are relevant in assessing whether there is a substantial adverse change under CEQA. Section 15064.5b(3) of the CEQA Guidelines states in part that "... a project that follows the Secretary of the *Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* . . . shall be considered as mitigated to a level of less than a significant impact on the historic resource."

Project Impacts

Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.

As stated in the 1998 EIR, "Development in the [Project Area] has the potential to adversely affect historic buildings in two manners. Direct effects to historic buildings would occur through site acquisition and clearance. Projects that are neighboring to a historic resource may cause indirect effects related to differences in scale, bulk and mass, architectural style, and color. Development projects may also cause a loss of continuity or association of the historic resource with its surroundings."

Although it is not known which specific historically significant buildings, if any, may be directly affected by future development, the buildings considered to be at greatest risk are those that have the following characteristics:

- are underutilized or are vacant;
- have multiple code violations and/or structural deficiencies;
- are in a declining state of repair;
- have high costs associated with rehabilitation such as asbestos removal;
- are considered to be economically or physically obsolete when compared to contemporary criterion;
- are designed and used for a different purpose than what is proposed by an applicant; or

- are non-conforming with regards to the General Plan policies or zoning codes.

The 1998 EIR included Mitigation Measure 3.15-5, which states that “The City shall conduct a Historic Building Survey of the South Van Ness Industrial Redevelopment Project Area.” This survey was to commence by no later than January 1, 2000, but Mitigation Measure 3.15-5 has not, to date, been implemented. The following mitigation would replace this commencement date with a new date for the survey of the South Van Ness Industrial Constituent Project Area.

The 1998 EIR concludes that, with mitigation, impacts on historic resources would remain significant and unavoidable as a result of the Project. This SEIR also concludes that, with mitigation, cultural resources impacts would be significant and unavoidable. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts would result as part of the Project on cultural resources that have not already been disclosed in the 1998 EIR.

Mitigation Measures

CEQA Guidelines Section 15168(c)(3) states that “an agency shall incorporate feasible mitigation measures and alternatives developed in the Program EIR into subsequent actions in the program.” In the present case, the Program EIR is the 1998 EIR and the subsequent action is the proposed Project. The following lists the mitigation measures from the 1998 EIR and augmentations to those measures that will improve their effectiveness in light of the new information presented above.

The mitigation measures adopted as part of this SEIR, therefore, expand the original mitigation measures described in the 1998 EIR.

Please note that text that has been *italicized* is language taken directly from the existing 1998 EIR mitigation measures. To allow easy comparison between the original 1998 EIR mitigation and the augmentations contained in the SEIR, 1998 EIR Mitigation Measures MM 3.15-1, MM 3.15-2, and MM 3.15-5 are described below.

1998 EIR MM 3.15-1: Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Development Department shall be notified. The developer shall consult with a qualified archeologist and the Archaeological Inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin.

1998 EIR MM 3.15-2: Should a project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under

which the structure was eligible for listing, prior to project approval the City shall demonstrate that it has reasonably explored and considered alternatives to the project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure.

1998 EIR MM 3.15-5: The City shall conduct a Historic Building Survey of the South Van Ness Industrial Redevelopment Area. Said Survey shall commence no later than January 1, 2000. The City shall consider and implement the recommendations of the Survey to the extent feasible.

In the interim, the City shall evaluate projects in the South Van Ness Industrial Redevelopment Project Area as follows:

- a. Each structure on a proposed development site shall be evaluated to determine if it is 50 years or more in age.*
- b. Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing in the City's Official Local List of Historic places.*
- c. Should a structure be determined to be eligible for listing on the City's Official List, the procedures under Mitigation Measure 3.15-2 shall apply.*
- d. Notices and Order issued for violations of the Housing Code, Dangerous Building Ordinance, and Exterior Building Maintenance Ordinance, as related to 50 years of age and older, shall be made available to the Historic Preservation Commission for their recommendation on surveying, assessing, and preserving potential historic resources.*

The following Mitigation Measures MM CR-1 and CR-2 of the SEIR augment the 1998 EIR mitigation measures described above. The original 1998 EIR text is italicized and its source is noted in brackets (i.e., [1998 EIR MM 3.15-5]). The new text is not italicized.

MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the South Van Ness, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas

The City shall conduct a Historic Building Survey of the South Van Ness Industrial Redevelopment Project Area. [1998 EIR MM 3.15-5] The City shall conduct a Historic Building Survey of all pre-1965 resources and an Archaeological Survey of the South Van Ness Constituent Project Area (South Van Ness Survey). The City shall also conduct a Historic Building Survey and an Archaeological Survey of the Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas (Fulton Corridor Surveys). The Fulton Corridor Surveys shall augment previous surveys completed by the City of Fresno Planning and Development Department and will be coordinated by staff of the Downtown and Community Revitalization Department in consultation with the City's Historic Preservation staff, as part of the Fulton Corridor Specific Plan. These surveys shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table

3B-1) and in accordance with National Register Bulletin 24, Guidelines for Local Surveys: A Basis for Preservation Planning. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with the City of Fresno Planning and Development Department's protocols as a Certified Local Government for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history; see Table 3B-2 below). Such work shall be coordinated and reviewed by the City of Fresno Historic Preservation staff and the City of Fresno Historic Preservation Commission (HPC).

Survey Criteria

The surveys (i.e., South Van Ness Survey and Fulton Corridor Surveys) shall evaluate resources by applying the following national, state, and local criteria:

- National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4);
- California Register of Historical Resources (14 CCR Section 4852.); and
- City of Fresno Historic Resources Designation Criteria (FMC 13-406).

Research Design

Before the first survey is completed, a Research Design shall be developed by the City and submitted to the City of Fresno Historic Preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the Research Design examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The Research Design may simply refer to a previously published design if it is applicable and reasonably current. The City shall ensure that HPC's comments are incorporated into the Research Design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly.

Survey Report and HPC Review

The City shall consider and implement the recommendations of the Survey to the extent feasible. [1998 EIR MM 3.15-5] The City shall provide draft survey reports to the City of Fresno Historic Preservation staff and the HPC for review and comment. Comments shall address the adequacy of each survey's results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the Research Design. Based on the HPC comments received, the City may revise a survey report accordingly, may conduct additional research, and may conduct additional survey. The City shall provide the final survey reports to the City of Fresno Historic Preservation staff and the HPC for review and final approval.

Timeframe

The South Van Ness Survey shall be completed on or before January 2015. The Fulton Corridor Surveys are projected to be completed by 2012.

Table 3B-1. OHP Standards for Intensive-Level Surveys

<p>Information about how to conduct and report survey activities can be found in <u>National Register Bulletin 24</u> (National Park Service 1985), the <u>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</u> (National Park Service 1983), and <u>California Historic Resources Survey Workbook</u> (Office of Historic Preservation 1986). Appendix 6 [in relevant part below] summarizes the fundamental topics that the Secretary of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <u>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</u> (Office of Historic Preservation 1989):</p> <p>“A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information:</p> <ol style="list-style-type: none"> 1. A clear statement of the purpose of the survey. 2. A definition of the survey area (with map of areas examined). 3. A research design that examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current. 4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above). 5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources.” <p>“Intensive surveys go beyond the systematic identification and description of historical resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain:</p> <ol style="list-style-type: none"> 6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate). 7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional.” <p>Source: Office of Historic Preservation 1995.</p>

Table 3B-2. Professional Qualifications Standards

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

History

The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archaeology (including Historic Archaeology)

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology, and
3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly

knowledge in the field of American architectural history.
Source: Secretary of the Interior’s Professional Qualifications Standards (As Amended and Annotated) (36 CFR Part 61)

MM CR-2. Survey Protocol for Future Development Projects

For the purposes of this mitigation measure, “Development Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or a development agreement with the City, Agency, or other public agency. A Development Project includes, but is not limited to, clearing or grading of land, improvement to existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. “Development Project site” is defined as the footprint of the Development Project, which includes all grading areas required for the construction of structures, utility improvements, and road improvements necessary for the Development Project. The “Development Project study area” is defined using the Area of Potential Effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” The Development Project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The Development Project study area is defined as the Area of Direct Impact (ADI) for historic archaeology. The ADI is limited to the exact location of the Development Project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations).

The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the surveys described in Mitigation Measures CR-1 are completed.

The following survey protocol shall be implemented for surveyed and unsurveyed areas in the Project Area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Section 5020-5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each Development Project.

Historic Buildings Survey Protocol

Prior to the approval and issuance of Development Project-related entitlements, the Development Project applicant shall retain the appropriate preservation consultant to conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior's Professional Qualifications for History or Architectural History (see Table 3B-2) and be approved by the City's Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows:

1. *Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age. [1998 EIR MM 3.15-5]* The 45-year age criterion in this SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50-year age criterion. Survey work shall be conducted per the OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a Development Project to obtain all necessary approvals and entitlements while ensuring that all 50-year-old structures within a Development Project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed Development Project study area—including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture—on State of California DPR Primary and Building, Structure and Object forms (DPR 523 A and B) and/or Primary and District Record forms (DPR 523 A and D), following guidelines published in the California Office of Historic Preservation's handbook, Instructions for Recording Historical Resources (1995). If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation.
2. *Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City's Local Register. [1998 EIR MM 3.15-5]* The consultant shall evaluate the significance and integrity of all resources of the Development Project study area for eligibility for listing on the National Register, the California Register, and the City's Local Register. If the South Van Ness Survey and/or Fulton Corridor Surveys or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation.
3. Submit a draft copy of the intensive-level historic resources survey for each Development Project to City of Fresno Historic Preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation accordingly and the assessment shall be finalized. The

requirements for an intensive-level survey to OHP standards are found in Table 3B-1.

4. *Should a property be determined eligible for listing on the City's Official List, the procedures under this Mitigation Measure ... shall apply as follows: Should a Development Project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to Development Project approval the City and/or the Redevelopment Agency shall demonstrate that it has reasonably explored and considered alternatives to the Development Project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure. [1998 EIR MM 3.15-5] The term "listed historic structure" is hereby defined to also include historical resources identified as significant in a case-by-case survey. Section 15064.5(a)(2) of the CEQA Guidelines states "historical resources," "identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant."*
5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant Development Project effects to designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the CEQA guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City's Historic Preservation staff.
6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of Development Project impacts, and proposed mitigation of potential impacts on resources within the Development Project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City of Fresno's Planning and Development Department for review and approval.

Upon completion of an intensive-level historic resources survey for a Development Project, Lead Agency staff or the City of Fresno Historic Preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the Local Register or a potential historic resource within the meaning of PRC, Section 21084.1 and CEQA Guidelines Section 15064.5.

Notice and Orders issued for violation of the Housing Code, Dangerous Building Ordinance, and Exterior Building Maintenance Ordinance, as related to properties 45 years of age and older, shall be made available to the City's Historic Preservation staff and their Historic Preservation Commission for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances. [1998 EIR MM 3.15-5] The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion.

Historic Archaeological Site Evaluation Protocol

Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Development Department shall be notified. The developer shall consult with a qualified archeologist and the Archaeological Inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin. [1998 EIR MM 3.15-1]

Prior to the approval and issuance of Development Project-related entitlement, the Development Project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior's Professional Qualifications for Archaeology (Historic) and shall be approved by the City's Historic Preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether or not there are sub-surface historic archaeological deposits that pre-date the buildings within the Development Project site or that there is the potential to yield sub-surface historic archaeological deposits in the Development Project study area. This work will entail the following tasks:

- a. Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archeological significance. Resource materials will include but are not limited to Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits.
- b. In order to effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI.
- c. Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct onsite archaeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching; limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI.
- d. The City, based on the results and evaluation of the subsurface investigation and archaeologist's professional judgment, in consultation with the City's Historic Preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the CEQA Guidelines. If there are, the City will further consult to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted.

- e. A technical resources report documenting the inventory process, identification of resources, evaluation of Development Project impacts, and proposed mitigation of resources within the Development Project site shall be prepared by the archaeologist. A final hard copy and a CD with an electronic file in PDF format of the report shall be submitted to the City of Fresno's Planning and Development Department for review and approval.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Section 3C
Hydrology and Water Quality

Section 3C

Hydrology and Water Quality

Introduction

This section describes the groundwater setting of the Project Area and examines the potential impacts associated with the Project related to the depletion of groundwater supplies. The environmental setting and impact analysis are based on available literature, including the recently updated *City of Fresno Urban Water Management Plan* (Fresno UWMP) (City of Fresno 2008), *Fresno Area Regional Groundwater Management Plan* (GMP) (City of Fresno et al. 2006), and professional judgment.

The IS/NOP (see Appendix A) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would:

- violate any water quality standards or waste discharge requirements;
- substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite;
- substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite;
- create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- otherwise substantially degrade water quality;
- place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- place within a 100-year flood hazard area structures that would impede or redirect floodflows;

- expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or
- contribute to inundation by seiche, tsunami, or mudflow.

Comments received during the 30-day public scoping period further clarified that future development would have to conform to the Fresno Metropolitan Flood Control District's (FMFCD's) Master Plan, FMFCD would need to review and approve of all improvement plans prior to implementation of improvements, and future development in portions of the Project Area would be required under ordinance to pay a "full cost" drainage fee and be committed to an increased Benefit Assessment annual property tax amount. Comments also clarified when future development would be required to obtain coverage under the statewide National Pollutant Discharge Elimination System General Permit for Construction Activities and the related preparation of a Stormwater Pollution Prevention Plan. Additionally, comments pointed out that new regulations, standards, statutes, and information since 1998 requires analysis in this Draft SEIR as to whether the Project would result in impacts to water supply. Impacts to water supply are discussed in this section and Section 3E, Utilities and Service Systems.

Comments received also request the consideration of whether developers in the future should be responsible to increase groundwater recharge capabilities in the Project Area and/or purchase additional water supplies to offset the additional demand. Whether future development that might exceed current demand projections should increase recharge or purchase additional water supply is a broader question of the successful implementation of the Fresno UWMP. There is no such development project proposed at this time, so attempting to evaluate this contingency would be purely speculative. Therefore, is out of the scope of this programmatic analysis and is not discussed further in this Draft SEIR.

IS/NOP revisions can be found in Appendix A, and responses to applicable comments in Chapter 3, "Environmental Analysis," under "Response to IS/NOP Comments." Therefore, these issues are not addressed further in this section.

Environmental Setting

This subsection discusses the environmental setting for groundwater applicable to the Project. The following discussion has been developed using Department of Water Resources (DWR) information as well as information from the UWMP and GMP. The City updated the Fresno UWMP in 2008, and the City and other agencies prepared the GMP in 2006; therefore, this constitutes new information that was not discussed in the 1998 EIR and needs to be discussed in this Draft SEIR.

Regional Groundwater Resources

The following description of regional groundwater resources is based on *California's Groundwater Bulletin 118* (DWR Bulletin 118) (Department of Water Resources 2003) unless otherwise cited. This bulletin provides a description of the groundwater basin and its supply, water quality, and use.

The project site is located in the Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin, Kings Subbasin (Groundwater Basin No. 5-22.08). This groundwater basin has a surface area of 1,945,000 acres (3,040 square miles). The San Joaquin Valley is surrounded on the west by the Coast Ranges, on the south by the San Emidio and Tehachapi Mountains, on the east by the Sierra Nevada Mountains, and on the north by the Sacramento-San Joaquin Delta and Sacramento Valley. The northern portion of the San Joaquin Valley drains toward the delta via the San Joaquin River and its tributaries: the Fresno, Merced, Tuolumne, and Stanislaus Rivers. The southern portion of the valley is internally drained by the Kings, Kaweah, Tule, and Kern Rivers that flow into the Tulare drainage basin including the beds of the former Tulare, Buena Vista, and Kern Lakes. The San Joaquin Valley is a structural trough up to 200 miles long and 70 miles wide filled with up to 32,000 feet of marine and continental sediments deposited during periodic inundation by the Pacific Ocean and by erosion of the surrounding mountains.

The Kings Subbasin has a surface area of 976,000 acres (1,530 square miles) and Fresno, Kings, and Tulare Counties are found within this subbasin. Kings Subbasin specific yields¹ range from 6 to 18% at 10- to 200-foot depths with an average value of 11.3%. Other estimates of specific yield are 15 to 20% in older alluvium and 7 to 12% in underlying continental deposits (City of Fresno et al. 2003). The groundwater flow is generally to the southwest.

Most of the aquifer underlying the GMP area (and the Project Area) is generally unconfined but may be semi-confined in some locations due to localized, fine-grained, and low permeability soils (City of Fresno et al. 2006). Groundwater levels in the GMP area range from about 10 to 400 feet below ground surface (bgs) and a large cone of depression is found under the Fresno-Clovis metropolitan area (City of Fresno et al. 2006) and therefore under the Project Area.

Groundwater Management

Fresno Area Regional Groundwater Management Plan

Nine public agencies and one private water company have developed the GMP for the Fresno-Clovis metropolitan and surrounding area, which documents a

¹ Specific yield is the proportion of a specified volume of aquifer that is water (expressed as a percentage).

regional approach toward groundwater management (City of Fresno et al. 2006). The GMP covers 455 square miles and is located entirely within Fresno County. The GMP participants include:

- City of Fresno;
- Fresno Irrigation District;
- County of Fresno;
- City of Clovis;
- City of Kerman;
- Malaga County Water District;
- Pinedale County Water District;
- Fresno Metropolitan Flood Control District;
- Bakman Water Company; and
- Garfield Water District.

The purpose of the GMP is to implement effective groundwater management that works toward maintaining a high quality and dependable water resource for the water users and land owners within the GMP area, while minimizing negative impacts to other affected parties. The objectives of the GMP include:

- preserve and enhance the existing quality of the GMP area's groundwater;
- correct overdraft and stabilize groundwater levels at the highest practical beneficial levels;
- preserve untreated groundwater as the primary source of domestic water;
- maximize available water supply, including conjunctive use of surface water and groundwater;
- conserve the water resource for long-term beneficial use and to assure an adequate supply for the future;
- manage groundwater resources to the extent necessary to ensure reasonable, beneficial, and continued use of the resource;
- monitor groundwater quality and quantity to provide the requisite information for establishing groundwater policies, goals, and recommended actions; and
- improve coordination and consistency amongst agencies responsible for the monitoring and management of groundwater in the GMP area.

Most important for purposes of this SEIR is that the GMP attempts to correct overdraft and stabilize groundwater levels at the highest practical beneficial levels. Stabilization and recovery of the aquifer would:

- decrease the pumping lifts and thereby decrease the energy needed for pumping;

- prevent expenditures for deepening wells; and
- prevent the premature abandonment of wells, which would be necessitated by the lowering of the water table.

City of Fresno Urban Water Management Plan

The Fresno UWMP (City of Fresno 2008) includes the GMP as part of its analysis, and the GMP is included as an appendix to the Fresno UWMP. The Fresno UWMP states that the City has relied on groundwater supplies since the City first started operating a water system in 1876 and that groundwater will continue to be an important component of the City water supply portfolio. However, one of the main objectives of the Fresno UWMP is to balance City groundwater operations by 2025.

The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand winter periods and high-demand summer periods, respectively) (City of Fresno 2009a). Other City water supplies come from treated surface water and recycled water. Treated surface water for City use is available through the City’s Fresno Irrigation District (FID) contract for FID’s entitlements to Kings River water and United States Bureau of Reclamation (USBR) contract through diversion from the San Joaquin River (City of Fresno 2008). Other available water supplies are available to the City through a contract with FID to pump groundwater developed through the percolation of previously treated wastewater effluent (City of Fresno 2008).

In 2007, the City’s groundwater pumping had exceeded the estimated groundwater yield of approximately 88,000 acre-feet per year (af/yr) (based on natural recharge, surface inflow, and intentional groundwater recharge) for the previous six years. Table 3C-1 shows the amount of groundwater pumped by the City between 2002 through 2007.

Table 3C-1. Amount of Groundwater Pumped by the City (af/yr)

2002	2003	2004	2005	2006	2007
165,542	165,117	160,047	141,471	136,050	145,150

Source: City of Fresno 2008.

As shown in Table 3C-2, the Fresno UWMP anticipates that the amount of groundwater pumping, as a percentage of total supply, would decrease from current quantities as the City expands its water conservation program, expands its surface water treatment capacity, expands its groundwater recharge program, and develops recycled water for landscape irrigation (see Section 3E, Utilities and Service Systems, for more information about these programs). In order to

balance groundwater operations by 2025 (i.e., annual pumping equal to annual recharge), and to offset the decrease in subsurface inflow, intentional groundwater recharge operations would be increased. Table 3C-2 shows the City’s projected future groundwater recharge.

Table 3C-2. Projected Future Groundwater Recharge (af/yr)

	2010	2015	2020	2025	2030
Natural Recharge	25,100	26,200	26,800	27,000	27,000
Subsurface Inflow	22,500	15,000	7,500	0	0
Intentional Recharge	43,100	43,100	43,100	58,000	73,600
Total Pumping	131,750	95,800	82,000	85,000	100,600
Net Recharge (Pumping)	(41,050)	(11,500)	(4,600)	0	0

Source: City of Fresno 2008.

The City estimates that subsurface inflow for the City’s sphere of influence area is about 65,000 af/yr, but it is unclear how much of this inflow is available to the City. Therefore, as shown in Table 3C-2, the Fresno UWMP assumes that there is not subsurface inflow available and groundwater recharge operations must account for this decrease by 2025. Table 3C-3 shows the projected amount of groundwater to be pumped by the City through 2030 and the percentage of total water supply the amounts account for as other water supply sources are expanded or introduced (i.e., water conservation program expansion, surface water treatment capacity expansion, groundwater recharge program expansion, and recycled water for landscape irrigation development). Table 3C-4 shows current and planned water supplies for the City.

Table 3C-3. Amount of Groundwater Projected to be Pumped by the City in a Normal Year

	2010	2015	2020	2025	2030
af/yr	131,750	95,800	82,000	85,000	100,600
% Total Water Supply	81%	51%	40%	36%	40%

Source: City of Fresno 2006.

Table 3C-4. Current and Planned City Water Supplies (af/yr)

Sources	2005	2010	2015	2020	2025	2030
Treated Surface Water	15,807	30,800	92,500	123,400	123,400	123,400
Groundwater	141,471	131,750	95,800	82,000	85,000	100,600
Recycled Water	0	750	1,000	1,000	25,000	25,000
Total	157,278	163,300	189,300	206,400	233,400	249,000

Source: City of Fresno 2008.

As discussed in Section 3E, Utilities and Service Systems, and according to the Fresno UWMP, the City has sufficient water supplies through 2030 for development consistent with the General Plan for the normal, single-dry, and multiple-dry year scenarios, and the Fresno UWMP analysis of water supply takes into account the City’s efforts to balance groundwater operation by 2025 in conformance with the Fresno UWMP and GMP.

Applicable Regulations

State

Department of Water Resources

Appendix C (Required and Recommended Components of Local Groundwater Management Plans) of DWR Bulletin 118 (Department of Water Resources 2003) includes the following language:

Section 10750 et seq. of the Water Code, commonly referred to as Assembly Bill (AB) 3030, stipulates certain procedures that must be followed in adopting a groundwater management plan under this section.

Amendments to Section 10750 et seq. added the requirement that new groundwater management plans prepared under Section 10750 et seq. must include component 1 below (SB 1938 (Stats 2002, Ch 603)).

In addition, the amendments mandate that if the agency preparing the groundwater management plan intends to apply for funding administered by the DWR for groundwater or groundwater quality projects, the agency must prepare and implement a groundwater management plan that includes components 2, 3, 6, 7 and 9 below. DWR recommends that all the components below be included in any groundwater management plan to be adopted and implemented by a local managing entity.

Consideration and development of these components for the specific conditions of the basin to be managed under the plan will help to ensure effective groundwater management. In developing these criteria, DWR recognizes that the goal of a groundwater management plan and the goal of an ordinance to manage groundwater should be the same—assurance of a long-term, sustainable, reliable, good quality groundwater supply. Such efforts can benefit greatly from cooperative management within the basin or region.

None of the suggested data reporting in the components below should be construed as recommending disclosure of information that is confidential under State law.

1. Include documentation that a written statement was provided to the public “describing the manner in which interested parties may participate in developing the groundwater management plan,” which may include appointing a technical advisory committee (Water Code Section 10753.4 (b)).
2. Include a plan by the managing entity to “involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.” (Water Code § 10753.7 (a)(2)). A local agency includes “any local public agency that provides water service to all or a portion of its service area” (Water Code Section 10752 (g)).
3. Provide a map showing the area of the groundwater basin, as defined by DWR Bulletin 118, with the area of the local agency subject to the plan as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan (Water Code Section 10753.7 (a)(3)).
4. Establish an advisory committee of stakeholders (interested parties) within the plan area that will help guide the development and implementation of the plan and provide a forum for resolution of controversial issues.
5. Describe the area to be managed under the plan, including:
 - a. The physical structure and characteristics of the aquifer system underlying the plan area in the context of the overall basin.
 - b. A summary of the availability of historical data including, but not limited to, the components in Section 7 below.
 - c. Issues of concern including, but not limited to, issues related to the components in Section 7 below.
 - d. A general discussion of historical and projected water demands and supplies.
6. Establish management objectives (MOs) for the groundwater basin that is subject to the plan. (Water Code Section 10753.7 (a)(1)).
7. Include components relating to the monitoring and management of groundwater levels, groundwater quality, inelastic land surface subsidence,

and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping. (Water Code Section 10753.7 (a)(1)). Consider additional components listed in Water Code Section 10753.8 (a) through (l).

8. For each MO, describe how meeting the MO will contribute to a more reliable supply for long-term beneficial uses of groundwater in the plan area, and describe existing or planned management actions to achieve MOs.
9. Adopt monitoring protocols for the components in Section 7 (Water Code Section 10753.7 (a)(4)).

Monitoring protocols are not defined in the Water Code, but the section is interpreted to mean developing a monitoring program capable of tracking changes in conditions for the purpose of meeting MOs.

10. Describe the monitoring program, including:
 - a. A map indicating the general locations of any applicable monitoring sites for groundwater levels, groundwater quality, subsidence stations, or stream gages.
 - b. A summary of monitoring sites indicating the type (groundwater level, groundwater quality, subsidence, stream gage) and frequency of monitoring. For groundwater level and groundwater quality wells, indicate the depth interval(s) or aquifer zone monitored and the type of well (public, irrigation, domestic, industrial, monitoring).
11. Describe any current or planned actions by the local managing entity to coordinate with other land use, zoning, or water management planning agencies or activities (Water Code Section 10753.8 (k), (l)).
12. Provide for periodic report(s) summarizing groundwater basin conditions and groundwater management activities. The report(s), prepared annually or at other frequencies as determined by the local management agency, should include:
 - a. Summary of monitoring results, including a discussion of historical trends.
 - b. Summary of management actions during the period covered by the report.
 - c. A discussion, supported by monitoring results, of whether management actions are achieving progress in meeting MOs.
 - d. Summary of proposed management actions for the future.
 - e. Summary of any plan component changes, including addition or modification of MOs, during the period covered by the report.
 - f. Summary of actions taken to coordinate with other water management and land use agencies, and other government agencies.
13. Provide for the periodic re-evaluation of the entire plan by the managing entity.

14. For local agencies not overlying groundwater basins, plans should be prepared including the above listed components and using geologic and hydrologic principles appropriate to those areas (Water Code Section 10753.7 (a)(5)).

The GMP is consistent with Appendix C of DWR Bulletin 118.

Senate Bill 1938 (Chapter 603, Statutes of 2002)

The Local Groundwater Assistance Fund provides, upon appropriation by the Legislature, money that may be used by the Department of Water Resources for grants to local public agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities.

This statute requires a local agency that elects to develop a GMP to make available to the public a written statement describing the manner in which interested parties would be allowed to participate in the development of that plan. A local agency, for the purposes of qualifying as a GMP under certain provisions of law, or, with certain exceptions, for the purposes of receiving state funds administered by the department for the construction of groundwater projects or groundwater quality projects, is required to include certain basin management objectives and components, and to adopt certain monitoring protocols as part of its GMP. The local agency is required to submit a copy of the GMP to the Department of Water Resources, in an electronic format approved by the department, if practicable, and the department is required to make copies available to the public.

The Fresno GMP is consistent with SB 1938.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) (California Water Code, Division 6, Part 2.6) was established in 1983 by Assembly Bill 797 that establishes the requirements for an UWMP. The UWMP Act requires that every urban water supplier update an UWMP every 5 years on or before December 31, in years ending in five and zero, and mandates that an UWMP:

- describes the service area of the supplier;
- identifies and quantifies, to the extent practicable, the existing and planned sources of water available to the supplier, including groundwater;
- describes the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provides data for an average water year, single dry water year, and multiple dry water years;

- describes the opportunities for exchanges or transfers of water on a short-term or long-term basis;
- quantifies, to the extent records are available, past, current, and projected future water use;
- describes and evaluates the supplier's water demand management measures;
- describes all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use; and
- provides an urban water shortage contingency analysis.

The Fresno UWMP is consistent with the UWMP Act and contains all of the above required components. The Fresno UWMP includes discussions on the existing and future groundwater supplies, expansion of groundwater recharge program, and reliability of groundwater supplies. The GMP is appended to the Fresno UWMP and its conclusions were used in the development of the Fresno UWMP.

Local

City of Fresno Municipal Code Sections 12-405 and 12-406

The text of the City's Municipal Code, Chapter 12 (Land Use Planning and Zoning), Article 4 (Procedures Applicable to Zoning), Sections 12-405 and 12-406 that are applicable to special permits can be found in Appendix D. If future development within the Project Area is determined by the City to require "special conditions," as a result of and including, but not limited to, unusual water demand not accounted for by the Fresno UWMP, the City's Municipal Code allows the City to require that "all special conditions required by the city as a condition in a covenant, agreement, or special permit are met." Special conditions could include that water conservation be built into such development as a condition of site plan approval in accordance with the City's Municipal Code. Site plan approval would require site plan review for the issuance of a special permit for applicable future development. The site plan review process includes Planning Director's review and decision, opportunity to appeal the Director's decision to the Planning Commission, and opportunity for the public to comment on future development through a public hearing process.

2025 Fresno General Plan

The following goals and objectives in the General Plan (City of Fresno 2002b) are applicable to wastewater facilities and water supply:

Goal 7: Manage growth to balance Fresno's urban form while providing an adequate public service delivery system, which is fairly and equitably balanced.

Goal 14: Protect and improve public health and safety.

Water

E-22. OBJECTIVE: Manage and develop the City of Fresno's water facilities to ensure a safe, economical, and reliable water supply for existing and planned urban development and economic diversification.

Water Resources

G-2. OBJECTIVE: Maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area and ensures that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.

G-3. OBJECTIVE: Protect water resources in the area from further degradation in quality.

G-4. OBJECTIVE: Manage, use, and replenish water resources to maintain a balanced "water budget" in the Fresno area.

Roosevelt Community Plan

The following goals and policies in the Roosevelt Community Plan (City of Fresno 1992) are applicable to groundwater balancing:

Goal 4-3: Ensure the continued provision of an adequate supply of potable water to serve all urban development within the planned urban area.

Policies and Implementation Measures

4-3.6: Implement water conservation programs that will result in decreased per capita water consumption.

4-3.7: Determine the optimum location of water recharge basins to maximize water recharge capacity and develop a system of recharge basins cooperatively with the Fresno Metropolitan Flood Control District, and the City Water Division. Implement recharge facilities fees.

4-3.9: Implement measures to reduce water consumption such as drought-tolerant landscape design and low water use plumbing fixture standards.

Impacts and Mitigation

Potential impacts of the Project on groundwater are discussed below.

Methodology

This section qualitatively analyzes changes in groundwater conditions as a result of the Project. Significant impacts would occur if the Project would adversely affect groundwater. The potential impacts are examined in the context of the impacts and mitigation measures identified in the 1998 EIR. These impacts are assessed through the significance criteria established for the Project identified below.

Criteria for Determining Significance

Based on Appendix G of the CEQA Guidelines and the IS/NOP analysis (see Appendix A), the Project would have a new or more severe significant impact on hydrology and water quality if it would:

- substantially deplete groundwater supplies or interfere substantially with ground water recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level.

Project Impacts

Impact WQ-1. The Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater, with other supplies coming from treated surface water through FID and USBR contracts and a recycled water exchange with FID. That will change as new sources are brought on line. The Fresno UWMP anticipates that the amount of groundwater pumping, as a percentage of total supply, will decrease from current quantities as the City expands its water

conservation program, expands its surface water treatment capacity, expands its groundwater recharge program, and develops recycled water for landscape irrigation, but groundwater pumping will continue to be a major source of water supply for the City (see Table 3C-3).

The Fresno UWMP is based upon General Plan population projections and, in turn, the Project has been analyzed in the General Plan. The Project also requires that the language found within the Constituent Redevelopment Plans be consistent with the current General Plan and future General Plan updates and any applicable specific or community plans. The Fresno UWMP concludes that the City has sufficient water supplies through 2030 for development consistent with the General Plan for the normal, single-dry, and multiple-dry year scenarios. Additionally, the Fresno UWMP analysis of water supply takes into account the City's efforts to balance groundwater operation by 2025 in conformance with the Fresno UWMP and GMP. Therefore, the Project is covered under the Fresno UWMP, sufficient water supply is available, and groundwater would be balanced with the following exceptions:

- According to the City's Department of Public Utilities, future mixed-use development (such as Commercial/Mixed Use Level 1 [Central Area] and Commercial/Mixed Use Level 2 [Central Area]) and development that exceeds land-use based water allocations due to constructing high water use characteristics (such as water features, excessive amounts of landscaping, and over densification) could exceed water allotments as allocated in the Fresno UWMP and therefore could result in a groundwater overdraft condition beyond 2025.
- The Project includes expiration dates for redevelopment within the Convention Center (1/12/35), Jefferson (12/18/37), and Chinatown Expanded Constituent Project Areas (1/28/38) that are beyond the 2030 date analyzed in the Fresno UWMP. Water supply has not been analyzed for these Constituent Project Areas beyond 2030, and therefore, it is unknown whether there is sufficient water supply for any future development within these Constituent Project Areas after 2030. Future development after 2030 in these Constituent Project Areas could exceed water allotments as allocated in the Fresno UWMP and therefore could result in a groundwater overdraft condition.

However, future developments that are mixed use, contain proposed high water use characteristics, and/or are proposed after 2030 and within Constituent Project Areas with expiration dates for redevelopment beyond 2030 would be considered to have "special conditions" by the City due to possible water demand (and therefore, greater groundwater demand) that may not be accounted for by the Fresno UWMP. Therefore, these specific types of future development would be subject to site plan review to be issued a special permit in accordance with City Municipal Code Sections 12-405 and 12-406. In accordance with the City Municipal Code, the City could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the

Fresno UWMP as part of the issuance of a special permit. Please see “Impact UTIL-2” of Section 3E, Utilities and Service Systems, for examples of water conservation conditions that could be placed on future development.

Future development applicants would be required to execute a covenant running with the land, in a form approved by the City Attorney, which shall contain the conditions imposed and it shall be recorded in the Office of the County Recorder (City Municipal Code Section 12-405(B)(1)). The site plan review process includes a City Planning Director’s review and decision process, opportunity to appeal the Director’s decision to the Planning Commission, and opportunity for the public to comment on future development through a public hearing process in accordance with City Municipal Code Section 12-406.

Mitigation Measure MM UTIL-1 ensures that future development that is mixed use, contains proposed high water use characteristics, and/or is proposed after 2030 and within Constituent Project Areas with expiration dates for redevelopment beyond 2030 would be required to undergo a site plan review in accordance with City Municipal Code. Implementation of Mitigation Measure MM UTIL-1 would reduce potential water supply (and therefore, groundwater demand) impacts as a result of the Project to a less-than-significant level.

Additionally, future large-scale development that is defined as a project under SB 610 (see definition on page 3E-12) would be required to prepare a WSA that analyzes whether the future development has sufficient available water supplies (including groundwater supplies) to meet its anticipated water demand. Obtaining an additional water supply can also be a condition placed on future development as part of the site review process in order to avoid possible groundwater overdraft in compliance with the Fresno UWMP goal of balanced groundwater operations by 2025. Compliance with SB 610 would result in a less-than-significant impact for future large-scale development that is defined as a project in accordance with SB 610.

The 1998 EIR states that the Water Resources Management Plan (now replaced by the updated Fresno UWMP) requires an improvement in the balance between water consumption and groundwater recharge. The Fresno UWMP also requires balancing water use with recharge by 2025. The GMP is appended to the Fresno UWMP and its conclusions were used in the development of the Fresno UWMP. The 1998 EIR states that the Project was consistent with the City’s plans and policies (including the previous General Plan, Central Area Community Plan, and Roosevelt Community Plan) for water supply in 1998, including the goal of recharging the aquifer and balancing water consumption with groundwater recharge. The Project with implementation of Mitigation Measure MM UTIL-1 would be consistent with the Fresno UWMP, GMP, and General Plan, as they may be amended from time to time. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts would result as part of the Project on groundwater that have not already been disclosed in the 1998 EIR.

Mitigation Measures

MM UTIL-1. Site Plan Review Trigger

In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City's Special Permit review process, set forth in Fresno Municipal Code, section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City's Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have "special conditions" due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.

Level of Significance after Mitigation

Impacts would be less than significant.

Section 3D

Noise

Introduction

This section discusses noise impacts that would result from potential increases in population, traffic, and construction activities that could occur as an indirect result of the Project, with a focus on the noise impacts to surrounding land uses. The key sources of data and information used are listed below:

- Section 3.10 of the 1998 EIR (Redevelopment Agency of the City of Fresno 1998);
- Section H, Noise Element, of the General Plan; and
- Section V.K. of the Draft MEIR for the General Plan (City of Fresno 2002).

The IS/NOP (see Appendix A) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would:

- expose persons to or generate excessive groundborne vibration or groundborne noise levels; or
- be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels.

No comments were received during the 30-day review period for these issues. Therefore, these issues are not addressed further in this section.

Environmental Setting

The environmental setting for noise describes the surrounding context of land uses, noise sources, and noise receptors.

Noise Terminology

Noise is generally defined as unwanted sound. It may be loud, unpleasant, unexpected, or undesired sound typically associated with human activity that

interferes with or disrupts the normal noise-sensitive ongoing activities of others. Although exposure to high noise levels has been demonstrated to cause hearing loss, the principal human response to environmental noise is annoyance. The response of individuals to similar noise events is diverse and influenced by the type of noise, the perceived importance and suitability of the noise in a particular setting, the time of day and type of activity during which the noise occurs, and the sensitivity of the individual.

Sound is a physical phenomenon consisting of minute vibrations that travel through a medium such as air that are sensed by the human ear. Sound is generally characterized by frequency and intensity. Frequency describes the sound's pitch and is measured in hertz (Hz); intensity describes the sound's level, volume, or loudness and is measured in decibels (dB). Sound frequency is a measure of how many times each second the crest of a sound pressure wave passes a fixed point. For example, when a drummer beats a drum, the skin of the drum vibrates at a certain number of times per second. Vibration of the drum skin at a rate of 100 times (or cycles) per second generates a sound pressure wave that is said to be oscillating at 100 Hz, and this pressure oscillation is perceived as a tonal pitch of 100 Hz. Sound frequencies between 20 Hz and 20,000 Hz are within the range of sensitivity of the best human ear.

Sound from a tuning fork contains a single frequency and may therefore be referred to as a *pure tone*. However, most sounds heard in the environment do not consist of a single frequency but rather a broad band of frequencies differing in individual sound levels. The method commonly used to quantify environmental sounds consists of evaluating all the frequencies of a sound according to a weighting system that reflects that human hearing is less sensitive at low frequencies and extremely high frequencies than at the mid-range frequencies. This frequency-dependent modification is called A-weighting, and the decibel level measured is called the A-weighted sound level (dBA). In practice, the level of a noise source is conveniently measured using a sound level meter that includes a filter corresponding to the dBA curve.

Typical community sound levels are presented in Table 3D-1. A sound level of 0 dBA is approximately the threshold of human hearing and is barely audible under extremely quiet listening conditions. Normal speech has a sound level of approximately 60 dBA. Sound levels above about 120 dBA begin to be felt inside the human ear as discomfort and eventually pain at still higher levels.

The minimum change in the sound level of individual events considered barely detectable in a community environment is approximately 3 dBA. A change of 5 dBA is considered readily perceptible, while a change in sound level of 10 dBA is usually perceived by the average person as a doubling (or halving) of the sound's loudness; this relation holds true for loud sounds and for quiet sounds. Because of the logarithmic scale of the decibel unit, dBA levels cannot be added or subtracted arithmetically and are somewhat cumbersome to handle mathematically. However, a simple rule of thumb is useful in dealing with sound levels: If a sound's physical intensity is doubled, the sound level increases by 3 dB, regardless of the initial sound level. For example, 60 dB plus 60 dB equals

63 dB, and 80 dB plus 80 dB equals 83 dB. As mentioned earlier, however, a perception of doubling of sound level requires about a 10-decibel increase.

Table 3D-1. Typical Community Sound Levels

COMMON OUTDOOR ACTIVITIES	NOISE LEVEL dBA	COMMON INDOOR ACTIVITIES
Jet Fly-over at 300 m (1000 ft)	---110---	Rock Band
Gas Lawn Mower at 1 m (3 ft)	---100---	
Diesel Truck at 15 m (50 ft), at 80 km/hr (50 mph)	---90---	Food Blender at 1 m (3 ft) Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft) Commercial Area	---80---	Vacuum Cleaner at 3 m (10 ft) Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	---70---	
Quiet Urban Daytime	---60---	Large Business Office Dishwasher Next Room
Quiet Urban Nighttime Quiet Suburban Nighttime	---50---	Theater, Large Conference Room (Background)
Quiet Rural Nighttime	---40---	Library Bedroom at Night, Concert Hall (Background)
	---30---	Broadcast/Recording Studio
	---20---	
	---10---	
Lowest Threshold of Human Hearing	---0---	Lowest Threshold of Human Hearing

Source: Caltrans, 1998.

Although the A-weighted sound level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most community noise includes a mixture of noise from distant sources that create a relatively steady background noise in which no particular source is identifiable. A single descriptor called the L_{eq} (equivalent sound level) is used to describe the average acoustical energy in a time-varying sound. L_{eq} is the energy-mean A-weighted sound level present or predicted to occur during a specified interval. It is the “equivalent” constant sound level that a given source would need to produce to equal the fluctuating level of measured sound. It is often desirable to also know the range of acoustic levels of the noise source being measured. This is accomplished through the L_{max} and L_{min} noise descriptors. They represent the root-mean-square maximum and minimum noise levels measured during the monitoring interval. The L_{min} value obtained for a particular monitoring location represents the

quietest moment occurring during the measurement period and is often called the *acoustic floor* for that location. Likewise, the loudest momentary sound during the measurement is represented by L_{\max} .

To describe the time-varying character of environmental noise, the statistical noise descriptors L_{10} , L_{50} , and L_{90} (or other percentile values) may be used. They are the noise levels equaled or exceeded 10, 50, and 90 percent, respectively, of the time during the measured interval. The percentile descriptors are most commonly found in nuisance noise ordinances to allow for different noise levels for various portions of an hour. For example, the L_{50} value would represent 30 minutes of an hour period, the L_{25} would be associated with 15 minutes of an hour, and so on.

Of particular interest in this analysis are other descriptors of noise that are commonly used to help determine noise/land use compatibility and to predict an average community reaction to adverse effects of environmental noise, including traffic-generated and industrial noise. One of the most universal descriptors is the Day-Night Average Sound Level (DNL or L_{dn}). As recommended by the state health department and state planning law, planning agencies use this descriptor. The L_{dn} noise metric represents a 24-hour period and applies a time-weighted factor designed to penalize noise events that occur during nighttime hours, when relaxation and sleep disturbance is of more concern than during daytime hours. Noise occurring during the daytime hours between 7:00 a.m. and 10:00 p.m. receives no penalty. Noise occurring between 10:00 p.m. and 7:00 a.m. is penalized by adding 10 dB to the measured level. In California, the use of the Community Noise Equivalent Level (CNEL) descriptor is permitted. CNEL is similar to L_{dn} except CNEL adds a 5 dB penalty for noise occurring during evening hours between 7:00 p.m. and 10:00 p.m. The L_{dn} and CNEL noise metrics are often used interchangeably for planning purposes.

Land Use, Noise Receivers, and Noise Sources

The Project Area consists of broad areas of commercial, industrial, open space, and multi-family and single-family residential parcels. The following noise-sensitive land uses would be allowed:

- residential;
- transient lodging;
- hospitals and nursing homes;
- theaters and auditoriums;
- churches and meeting halls;
- office buildings; and
- schools and libraries.

Most noise within the study area is generated by traffic on city streets or freeways (City of Fresno 2002). High-speed, limited-access freeways include State Route (SR) 99, SR-41, and SR-180. Future noise levels near the major roadways and railroads were presented in the General Plan MEIR (City of Fresno 2002). Future (Year 2025) exterior CNEL noise levels exceeding 60 dBA (the City's threshold for maximum allowable exposure) are modeled to occur within 3,000–5,000 feet of SR-99, within 2,000 feet of SR-41, and within 200 feet of the gridded city streets.

The General Plan MEIR also evaluated railroad noise (City of Fresno 2002). Railroad lines operated by Union Pacific Railroad and Burlington Northern/Santa Fe Railroad are within the Project Area. The Union Pacific Railroad had an average of 20 freight trains per day in the year 2000; this may increase to approximately 33 trains per day by 2025. The Burlington Northern/Santa Fe Railroad had an average of 29 freight trains per day in 2000; this may increase to approximately 48 trains per day by 2025. Amtrak presently runs 10 passenger trains per day (five in each direction), and may increase its operations to 20 trains per day by 2025.

Three airports are within the Fresno city limits but outside the study area: Fresno Chandler Downtown Airport; Fresno Yosemite International Airport; and Sierra Sky Park. The City has adopted airport plans for each airport, and predicted year 2025 noise contours are presented in the General Plan.

Applicable Regulations

Many government agencies have established noise standards and guidelines to reduce or prevent adverse physiological and social effects associated with noise. Relevant governmental agency policies are summarized below.

Federal

Among other guidance, the Noise Control Act of 1972 directed the U.S. Environmental Protection Agency (EPA) to develop noise level guidelines that would protect the population from the adverse effects of environmental noise. The U.S. EPA published a guideline (U.S. EPA 1974) containing recommendations of 55 dBA L_{dn} outdoors and 45 dBA L_{dn} indoors as a goal for residential land uses. The agency is careful to stress that the recommendations contain a factor of safety and do not consider technical or economic feasibility issues, and therefore should not be construed as standards or regulations.

The Department of Housing and Urban Development (HUD) standards define L_{dn} levels below 65 dBA outdoors as acceptable for residential use. Outdoor levels up to 75 dBA L_{dn} may be made acceptable through the use of insulation in buildings. Additionally, the Occupational Safety and Health Administration (OSHA) regulates the exposure of workers to occupational noise.

State

The pertinent State of California regulations are contained in the CCR. Title 24, “Noise Insulation Standards,” establishes the acceptable interior environmental noise level (45 dBA L_{dn}) for multi-family dwellings (that may be extended by local legislative action to include single-family dwellings). Section 65302(f) of the CCR establishes the requirement that local land use planning jurisdictions prepare a general plan. The Noise Element is a mandatory component of the general plan. It may include general community noise guidelines developed by the California Department of Health Services and specific planning guidelines for noise/land use compatibility developed by the local jurisdiction. The state guidelines also recommend that the local jurisdiction consider adopting a local nuisance noise control ordinance. The California Department of Health Services (1976) has developed guidelines for community noise acceptability for use by local agencies. Selected relevant levels are the following (L_{dn} may be considered nearly equal to CNEL):

- CNEL below 60 dBA—normally acceptable for low-density residential use.
- CNEL of 55 to 70 dBA—conditionally acceptable for low-density residential use.
- CNEL below 65 dBA—normally acceptable for high-density residential use.
- CNEL of 60 to 70 dBA—conditionally acceptable for high-density residential, transient lodging, churches, educational, and medical facilities.
- CNEL below 70 dBA—normally acceptable for playgrounds and neighborhood parks.

“Normally acceptable” is defined as satisfactory for the specified land use, assuming that normal conventional construction is used in buildings.

“Conditionally acceptable” may require some additional noise attenuation or special study. Under most of these land use categories, overlapping ranges of acceptability and unacceptability are presented, leaving some ambiguity in areas where noise levels fall within the overlapping range.

The State of California additionally regulates the noise emission levels of individual motor vehicles traveling on public roads, sets noise emission limits for certain off-road vehicles and watercraft, and sets required sound levels for light-rail transit vehicle warning signals. The extensive state regulations pertaining to worker noise exposure are for the most part applicable only to the construction phase of any project (for example Cal/OSHA Occupational Noise Exposure Regulations [8 CCR, General Industrial Safety Orders, Article 105, Control of Noise Exposure, § 5095, et seq.]); for workers in a “central plant” and/or a maintenance facility; or for workers involved in the use of landscape maintenance equipment or heavy machinery.

Local

City of Fresno Noise Ordinance and Noise Element

The City of Fresno regulates noise by two methods: the City of Fresno Noise Ordinance and the Noise Element of the General Plan. The Noise Ordinance (specifically, Fresno Municipal Code Section 10-106, entitled “Prima Facie Violation”) states, “Any noise or sound exceeding the ambient noise level at the property line of any person offended thereby, or, if a condominium or apartment house, within an adjoining living unit, by more than five decibels shall be deemed to be prima facie evidence of a violation.”

The Noise Element sets numerical allowable noise levels, and specifies noise abatement methods. Numerical environmental analyses to support the Noise Element were conducted as part of the General Plan MEIR (City of Fresno 2002). Details on the Noise Element are provided below.

The Noise Element is described in Section H of the General Plan (City of Fresno 2002). This latest Noise Element was enacted after the 1998 EIR was certified. The introductory sections of the Noise Element include the following general direction for the new element:

Longstanding city policy for stationary sources has been to require enclosure, muffling, and/or extra setbacks so that adjacent properties are not exposed to excessive noise levels. Nuisance noise abatement has been accomplished through the city’s Noise Ordinance. Noise from transportation facilities has been controlled by distancing sensitive uses from these facilities, and by use of sound-proofing construction measures such as masonry walls and sealed buildings. Title 24 energy conservation requirements (referenced in the Resource Conservation Element/Energy Conservation topic) have also greatly helped mitigate indoor noise levels by requiring dual-pane windows and additional insulation in buildings. Federal Aviation Administration regulations for airports have supported planning and zoning designations which have kept sensitive uses away from the noise attendant upon flight paths.

Noise Element’s Relationship to General Plan Goals

General Plan goals that relate to noise increases and their control include:

Goal 1: Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner which will respect physical, environmental, fiscal, economic, and social issues.

Goal 14: Protect and improve public health and safety.

H-1. OBJECTIVE: Protect the citizens of the city from the harmful and annoying effects of exposure to excessive noise.

H-1-a. Policy: New noise-sensitive land uses impacted by existing or projected future transportation noise sources shall include mitigation measures so that resulting noise levels do not exceed the standards shown in Table 3D-2 below.

Table 3D-2. Maximum Allowable Exposure (Transportation Sources)

Land Use	Outdoor	Interior Spaces	
	Activity Areas L _{dn} dBA	L _{dn} , dBA	1-Hour L _{eq} , dBA
Residential	60	45	
Transient Lodging	60	45	
Hospitals, Nursing Homes	60	45	
Theaters, Auditoriums, Music Halls			35
Churches, Meeting Halls	60		45
Office Buildings			45
Schools, Libraries, Museums			45

Outdoor noise levels up to 65 dBA L_{dn} adjacent to the Burlington Northern and Union Pacific mainline tracks may be allowed by the project approving authority when it is determined it is not possible to achieve 60 dBA L_{dn} in outdoor activity areas using a practical application of the best available noise reduction technology, and when all feasible exterior noise reduction measures have been proposed.

H-1-b Policy. For purposes of city analyses of noise impacts and for determining appropriate noise mitigation, a significant increase in ambient noise levels is assumed if the project causes ambient noise levels to exceed the following:

- The ambient level is less than 60 dBA L_{dn} and the project increases noise levels by 5 dBA L_{dn} or more
- The ambient level is 60-65 dBA L_{dn} and the project increases noise levels by 3 dBA L_{dn} or more
- The ambient level exceeds 65 dBA L_{dn} and the project increases noise levels by 1.5 dBA L_{dn} or more

H-1-c Policy. The City shall review new public and private development proposals to determine conformance with the policies of the Noise Element.

H-1-d. Policy: The city shall require an acoustical analysis in those cases where a project potentially threatens to expose existing or proposed noise-sensitive land uses to excessive noise levels. The presumption of potentially

excessive noise levels shall be based on the location of new noise-sensitive use to known noise sources or staff's professional judgment that a potential for adverse noise impacts exists. Acoustical analysis shall be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of building permits. The requirements for the content of an acoustical analysis are established by the Planning and Development Department in conjunction with environmental health agencies.

H-1-e. Policy: The city shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit process.

H-1-f. Policy: The city shall develop and employ procedures to monitor compliance with the policies of the Noise Element after completion of projects where noise mitigation measures have been required.

H-1-g. Policy: The city shall enforce the State Noise Insulation Standards (California Title 24) and Chapter 35 of the Uniform Building Code (UBC) concerning interior noise exposure for multi-family housing, hotels, and schools.

H-1-h. Policy. The city shall request the Highway Patrol, the Sheriff, and Police Department to actively enforce the California Vehicle Code sections relating to adequate vehicle mufflers and modified exhaust systems, and sound systems in vehicles.

H-1-i. Policy: The city shall review and update the Noise Element and the Noise Ordinance to ensure that noise exposure information and specific policies and ordinances are consistent with changing conditions within the city and with noise control guidelines or policies enacted after the adoption of this element.

H-1-j. Policy: Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so that resulting noise levels do not exceed the adopted standards at noise-sensitive land uses.

H-1-k. Policy: The noise-sensitive land uses impacted by stationary sources shall include mitigation measures so that resulting noise levels do not exceed the standards shown in Table 3D-3 below.

Table 3D-3. Maximum Allowable Noise Exposure (Stationary Noise Sources)

Noise Parameter	Daytime (7 am to 10 pm)	Nighttime (10 pm to 7 am)
Hourly Equivalent Sound Level (L_{eq} , dBA)	50	45
Maximum Sound Level (L_{max} , dBA)	70	65

Noise levels apply at outdoor activity areas. Where the location of outdoor activity areas is unknown or not applicable, the noise standard shall be applied at the property line of the receiving land use. When ambient noise levels exceed the levels in this table, mitigation shall only be required to limit outdoor noise to the ambient plus 5 dBA.

H-1-l. Policy: Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated so as not to exceed the noise level standards of Table 3D-3 at noise-sensitive land uses.

H-1-m. Policy: As a guideline, noise barriers (walls, earth berms, or berm/wall combinations) shall not exceed 15 feet in height. The Planning and Development Director, on a case by case basis, may allow noise barrier heights differing from this policy. However, resulting noise levels must satisfy the maximum allowable noise standards.

Impacts and Mitigation

Methodology

CEQA requires determination of the significance of noise impacts associated with proposed projects. Noise generated by the Project was assessed against CEQA noise-related requirements as specified by the Noise Element. The original 1998 EIR for the Project did not present quantitative analyses of noise sources. The Noise Element was prepared following completion of the original 1998 EIR. The General Plan MEIR included quantitative forecasts of year 2025 noise levels within the Project Area caused by local traffic, railroads, and airports.

The process of assessing the significance of noise impacts associated with the Project first involved identifying the applicable thresholds at which significant impacts on noise-sensitive uses would occur. Next, previously published forecasts of future noise levels associated with project-related activities (as presented in the General Plan MEIR) were evaluated and compared to the significance thresholds. The quantitative noise modeling for traffic and airports done for the General Plan MEIR developed CNEL noise contours, which were compared to the L_{dn} significance thresholds specified by the Noise Element, assuming CNEL and L_{dn} noise levels are nearly equal. Details regarding

assumptions and methods used to predict noise levels are discussed under each impact type.

Significance Criteria

Based on Appendix G of the CEQA Guidelines and the IS/NOP analysis (see Appendix A), the Project would have a significant impact on noise if it would:

- result in an exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies. For this analysis the term “in excess of standards” means noise levels higher than the allowable interior or exterior limits specified by the Noise Element, as listed in Table 3D-2 and Table 3D-3;
- result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or
- be located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the Project Area to excessive noise levels.

Project Impacts

Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The impacts related to noise within the Project Area are discussed separately for construction and operational effects below.

Construction

As described in the IS/NOP (see Appendix A), future development construction noise would be similar to construction noise impacts that were evaluated in the 1998 EIR. Therefore, the construction noise impacts would be unchanged compared to 1998.

Temporary daytime construction noise could occur at various locations in the Project Area throughout the build-out period. When new buildings are

constructed, then commercial buildings and dwellings near the new construction site could be subjected to temporary, localized noise impacts. Construction activity would be required to adhere to applicable noise control standards as specified by the Noise Element.

The 1998 EIR concluded that construction noise impacts would be less than significant because the noise emissions would be temporary and localized. No substantive changes to the proposed action have occurred during the time since certification of the 1998 EIR, so the impacts of temporary construction noise are still considered less than significant.

Operation

Stationary Noise Sources Inside Project Area

Much of the redevelopment area would be zoned for either Residential or Commercial Mixed Use Level 2, which encourages appropriate multi-family residential structures within commercial mixed use areas. Stationary noise sources could be included as part of the residential, commercial, and light industrial facilities constructed in those areas. Typical stationary sources could include heating and ventilation equipment, loading docks, and industrial process equipment. The Noise Element specifies allowable noise levels at the property line of each land use type. All proposed future residential, commercial, and industrial facilities would be required to install appropriate noise abatement measures (silencers, noise barriers, etc.) to satisfy the Noise Element allowable noise levels. Adherence to the Noise Element would ensure daytime and nighttime noise levels would satisfy the allowable limits for each land use category. The 1998 EIR concluded the noise impacts from stationary sources would be less than significant. No substantive changes to the proposed action have occurred during the time since certification of the 1998 EIR, so the impacts of stationary noise sources are still considered less than significant.

Traffic-Related and Railroad-Related Impacts Inside the Project Area

The 1998 EIR did not include quantitative analysis of noise generated by traffic and railroads, but the General Plan MEIR concluded the noise impacts at residential and commercial buildings within the Project Area would be significant and unavoidable. The General Plan MEIR included quantitative forecasts of Year 2025 noise contours adjacent to freeways, major arterials, and railroads within the City of Fresno.

The traffic noise analysis in the General Plan MEIR utilized traffic forecasts for the year 2025, and used the Caltrans Sound 32 Vehicular Traffic Noise Model to predict CNEL noise contours parallel to each major roadway. The traffic modeling assumed reasonable worst-case conditions: flat terrain, acoustically “hard” ground, and no barrier attenuation provided by structures between the road and the receiver. Future railroad noise levels were calculated using published estimation methods, with similar worst-case assumptions.

According to the Noise Element, exterior noise levels exceeding 60 dBA L_{dn} trigger a significant noise impact at several land use categories. Figure 3D-1 shows the modeled setback distances to the 60 dBA CNEL contour. As shown in the figure, much of the Project Area would experience traffic noise levels exceeding 60 dBA CNEL, so noise mitigation would be required for new residential or commercial development within most of the redevelopment area. Year 2025 traffic noise levels adjacent to some freeways and arterials will exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. Figure 3D-2 shows the setback distances to the 70 dBA CNEL contours, which might not be feasible to fully mitigate.

Based on the above analysis, traffic noise and railroad noise within large portions of the Project Area would be significant and unavoidable even with incorporation of Mitigation Measure MM NOI-1.

Indirect Traffic Noise Impacts Outside the Redevelopment Area

Businesses and dwellings inside the Project Area would generate Project-related regional traffic, which would contribute slightly to traffic noise at sensitive land uses near city-wide freeways and arterials outside the Project Area. However, it is unlikely the relative contribution of future Project-related traffic would be high enough to result in a significant indirect traffic noise increase as defined by the Noise Element. If the ambient traffic noise (without the Project) exceeds 60 dBA L_{dn} , then the Noise Element defines a significant impact as a noise increase of 3 dBA L_{dn} . Because of the logarithmic nature of the dBA scale, traffic volumes on any given roadway would have to double to cause a 3 dBA noise increase. Thus, to cause a 3 dBA indirect noise increase, Project-related traffic would have to contribute 50% of the average daily traffic (ADT). That is unlikely to occur. Future full buildout vehicle trip generation caused by land uses inside the Project Area would be a small fraction of city-wide totals. Therefore, it is unlikely that Project-related traffic would contribute more than 50% of the ADT on any public roads outside the redevelopment area, and it is unlikely Project-related traffic would cause an indirect noise increase exceeding 3 dBA. Based on this analysis, it is concluded the indirect noise impacts on roadways outside the Project Area would be less than significant.

Airport Noise

A detailed analysis of airport noise is described later in this section under Impact NOI-4. Three airports are within the Fresno city limits but outside the Project Area: Fresno-Chandler Downtown Airport, Fresno Yosemite International Airport, and Sierra Sky Park. The City has adopted airport plans for each airport, and predicted future noise contours for each airport are presented in the General Plan. Predictive modeling of future noise levels shows the 60 dBA CNEL

contour for each airport, which defines the noise level at which noise abatement must be considered, is well outside the Project Area. Therefore, the noise impacts caused by airport operations are less than significant.

Conclusion

Impacts of the Project are cumulative and largely related to traffic noise associated projected population growth through 2025 and would occur with or without the Project.

The General Plan MEIR concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts to facilities constructed near freeways and railroads would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold throughout much of the Project Area. The General Plan MEIR concluded that Year 2025 traffic noise levels adjacent to some freeways and arterials within the Project Area would exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. The 1998 EIR concluded that noise impacts would be less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, a more severe noise impact would result as part of the Project that has not already been disclosed in the 1998 EIR.

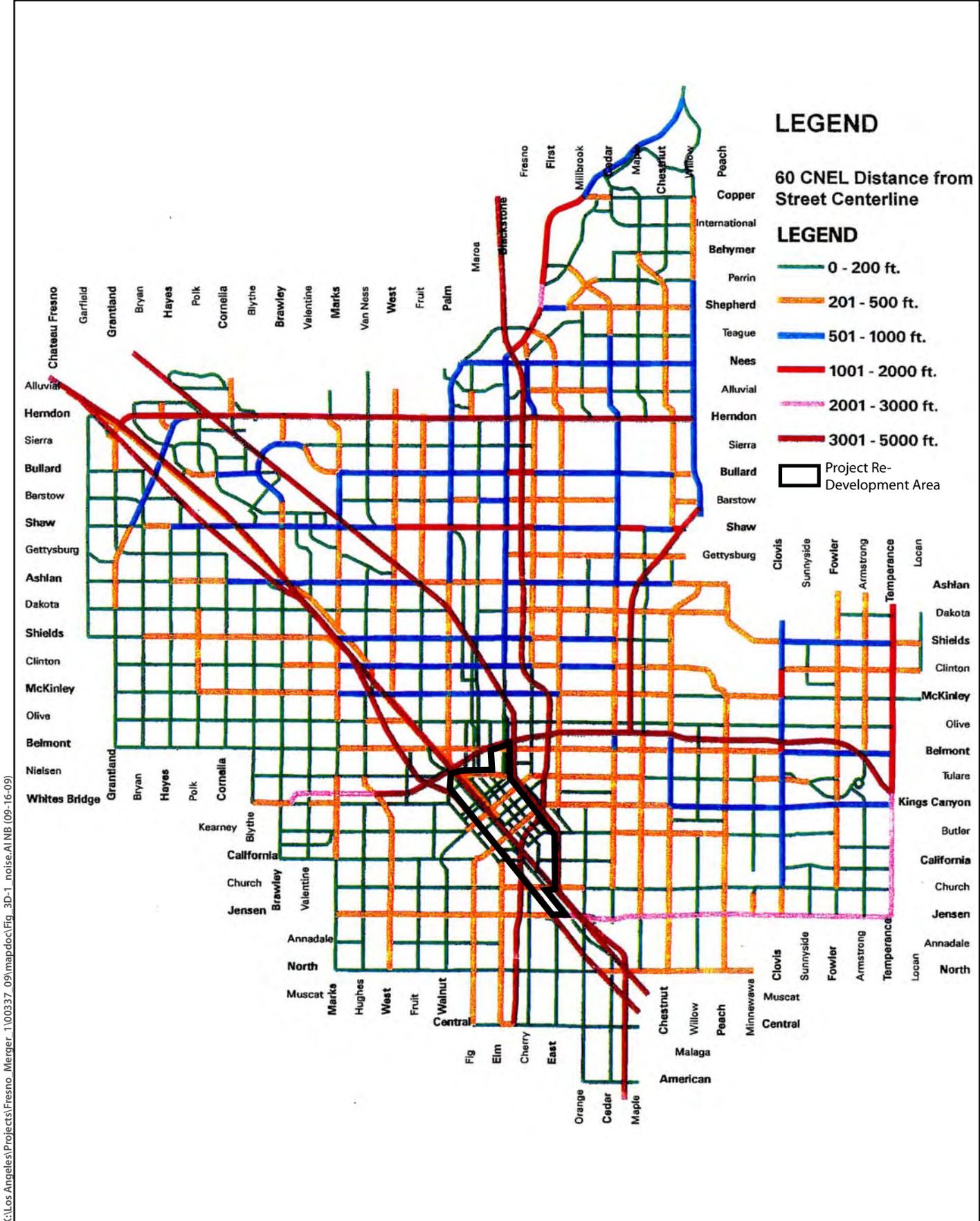
Mitigation Measures

Mitigation Measure MM-NOI-1. Adhere to Noise Element Mitigation Requirements

In accordance with the Noise Element, all future development that included stationary noise sources will be required to conduct an acoustical study and to install noise controls so exterior and interior noise levels at nearby noise-sensitive properties achieve the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available:

- Purchase of low-noise equipment.
- Installation of noise silencers on mechanical equipment.
- Use of site structures to provide natural shielding.
- Installation of noise barriers.

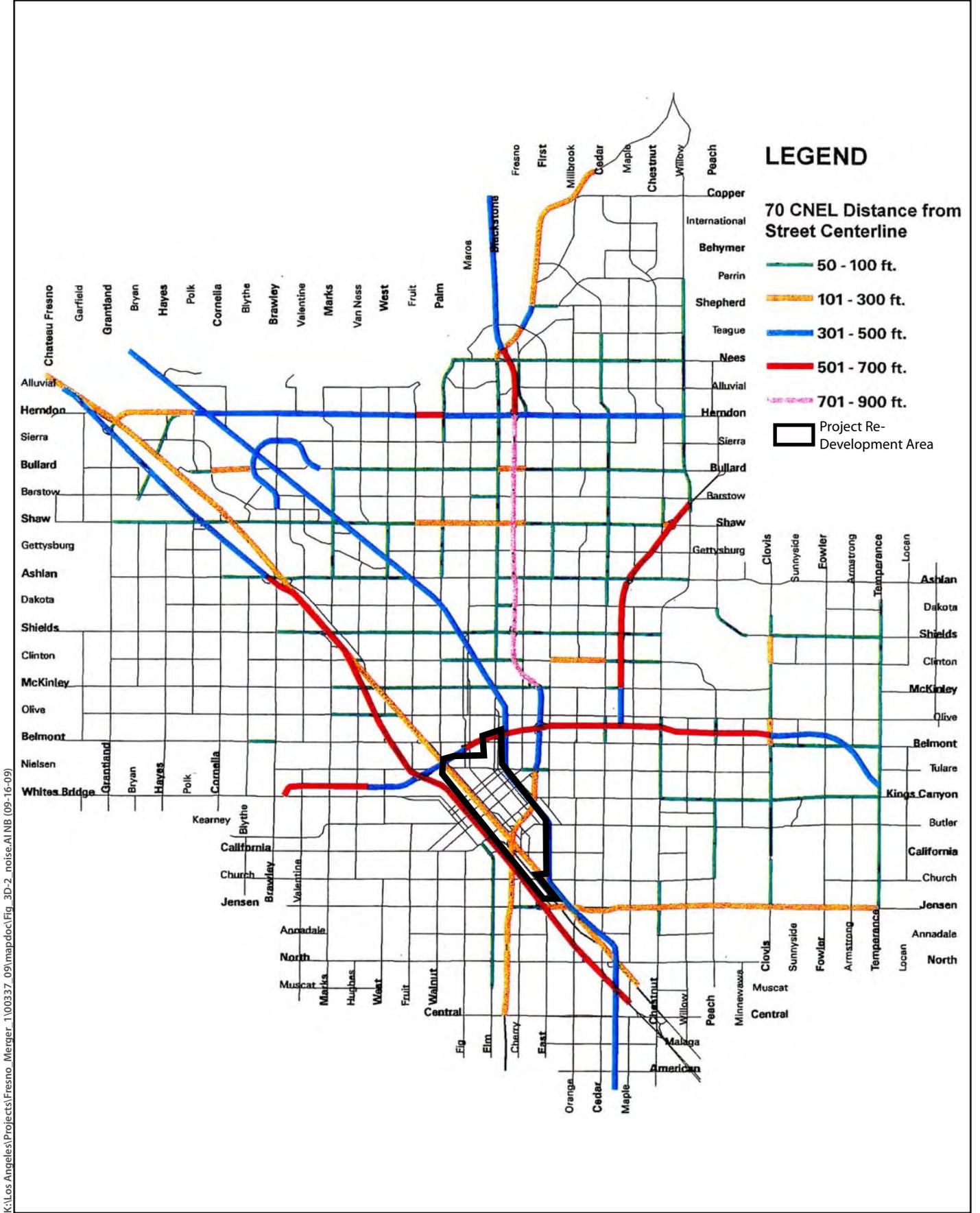
In accordance with the Noise Element, all future development in the Project Area where the forecast future exterior noise levels exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study and provide noise control measures to reduce indoor and outdoor noise levels to the appropriate allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The Noise



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Source: Draft MEIR, 2025 Fresno General Plan

Figure 3D-1
60dBA Threshold areas for required noise evaluation



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Source: Draft MEIR, 2025 Fresno General Plan

Figure 3D-2
Areas where noise impacts may not be fully mitigated

Element describes a wide range of additional noise abatement measures that can be considered:

- Site planning, to maximize the distance between sensitive receptors and local noise sources.
- Placing non-sensitive land uses (e.g., parking lots) to provide a buffer zone.
- Orienting outdoor use areas (e.g., balconies) on the sides of buildings away from noise sources.
- Arranging site buildings to shield noise sensitive areas within the facility.
- Constructing sound barrier walls along freeways and heavily traveled arterials, if feasible based on local site conditions.
- Installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-2. The Project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.

The IS/NOP (see Appendix A) concluded that the level of impact would be potentially significant. The impact would be the same as described under Impact NOI-1. The Project would expose existing and new facilities within the Project Area to the following noise sources: temporary construction, stationary equipment, traffic noise, railroad noise, and airport noise. Similar to Impact NOI-1, the impacts from temporary construction, stationary equipment, and airports would be less than significant. However, similar to Impact NOI-1, the impacts to facilities constructed near freeways and railroads would be significant and unavoidable.

The General Plan MEIR concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts to facilities constructed near freeways and railroads would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold throughout much of the Project Area. The General Plan MEIR concluded that Year 2025 traffic noise levels adjacent to some freeways and arterials within the Project Area would exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. The 1998 EIR concluded that noise

impacts would be less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, a more severe noise impact would result as part of the Project that has not already been disclosed in the 1998 EIR.

Mitigation Measures

Implement Mitigation Measure MM NOI-1.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.

The IS/NOP (see Appendix A) concluded that the level of impact would be potentially significant. The impact would be the same as described under Impact NOI-1. The Project would expose existing and new facilities within the redevelopment area to the following temporary or periodic noise sources: temporary construction, traffic noise, railroad noise, and airport noise. Similar to Impact NOI-1, the impacts from temporary construction and airports would be less than significant. Construction noise would be temporary and localized and was evaluated in the 1998 EIR. Conditions have not changed since the 1998 EIR was certified. As described under Impact NOI-1, all local airports are far from the redevelopment area, so airport noise impacts would be less than significant.

However, similar to Impact NOI-1, the impacts to facilities constructed near freeways and railroads would be significant. Forecast traffic and airport noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold throughout much of the Project Area.

The General Plan MEIR concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts to facilities constructed near freeways and railroads would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL significance threshold throughout much of the Project Area. The General Plan MEIR concluded that Year 2025 traffic noise levels adjacent to some freeways and arterials within the Project Area would exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. The 1998 EIR concluded that direct noise impacts would be less than significant. Therefore, pursuant to CEQA Guidelines

Section 15162, a more severe noise impact would result as part of the Project that has not already been disclosed in the 1998 EIR.

Mitigation Measures

Implement Mitigation Measure MM NOI-1.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-4. The Project would be located within 2 miles of a public airport or public use airport and would not expose people residing and working in the Project Area to excessive noise levels.

The 1998 EIR for the Project did not numerically evaluate potential noise impacts caused by the three airports within the City limits. The analysis presented below, which was included in the Noise Element, demonstrates that future aircraft operations are not expected to cause excessive noise levels at any location within the proposed redevelopment area.

Fresno Yosemite International Airport

This airport handles commercial jet aircraft and military aircraft operated by the Air National Guard. The center of the runway is approximately 4 miles from the eastern side of the Project Area. The forecast future (Year 2025) 60 dBA CNEL contour, which defines the allowable exterior noise level at a residential area according to the Noise Element, is approximately 2 miles from the Project Area. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the Project Area.

Fresno-Chandler Downtown Airport

This airport handles private and commercial propeller aircraft. The center of the runway is approximately 1 mile west of SR-99 along the western side of the redevelopment area. The forecast future (Year 2025) 60 dBA CNEL contour, which defines the allowable exterior noise level at a residential area according to the Noise Element, is approximately 1 mile from the closest boundary of the Project Area. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the Project Area.

Sierra Sky Park

Operations at this private airport are limited to small propeller aircraft. The center of the runway is approximately 7 miles from the SR-99 along the western side of the Project Area. The forecast future (Year 2025) 60 dBA CNEL contour, which defines the allowable exterior noise level at a residential area according to the Noise Element, is approximately 7 miles from the closest boundary of the Project Area. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the Project Area.

Conclusion

The 1998 EIR concluded that noise effects (including airport-related noise) as a result of the Project are less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts would result as part of the Project as a result of airport that have not already been disclosed in the 1998 EIR.

Mitigation Measures

No mitigation is required.

Level of Significance after Mitigation

Impacts would be less than significant.

Section 3E
Utilities and Service Systems

Introduction

This section discusses the existing wastewater facilities and water supply in the vicinity and examines the potential impacts of the Project on these services. Impacts are assessed in terms of physical environmental effects or demands for new or expanded facilities. The environmental setting and impact analysis are based on available literature, including the recently updated *City of Fresno Urban Water Management Plan* (Fresno UWMP) (City of Fresno 2008), *Sewer System Management Plan* (SSMP) (City of Fresno 2009), *Wastewater Collection System Master Plan* (WCSMP) (City of Fresno 2006), and professional judgment.

The IS/NOP (see Appendix A) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would:

- exceed wastewater treatment capacity of the applicable Regional Water Quality Control Board;
- require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- occur because the Project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs;
or
- occur because the Project would comply with federal, state, and local statutes and regulations related to solid waste.

Comments received during the 30-day public scoping period clarified several points, including the following:

- future development would be required to conform to the Fresno Metropolitan Flood Control District's (FMFCD's) Master Plan,
- FMFCD would need to review and approve all improvement plans prior to implementation, and
- future development in portions of the Project Area would be required, under ordinance, to pay a "full cost" drainage fee and be committed to an increased benefit assessment on the annual property tax bill.

The comments also clarified when future development would be required to obtain coverage under the statewide NPDES General Construction Permit and prepare a SWPPP. In addition, the comments pointed out that new regulations, standards, statutes, and information since 1998 require analysis in the Draft SEIR to determine whether the Project would result in impacts on water supply. Impacts on water supply are discussed in this section and in Section 3C, Hydrology and Water Quality.

The comments also called for consideration of whether, in the future, developers should be responsible for increasing groundwater recharge capabilities in the Project Area and/or purchasing additional water supplies to offset additional demand. However, the question of whether developers should increase recharge capabilities or purchase additional water supplies is a broad issue related to successful implementation of the Fresno UWMP. It is not related to this Project and is outside the scope of this programmatic analysis. It will not be discussed further in this Draft SEIR.

The IS/NOP revisions can be found in Appendix A as well as Chapter 3, Environmental Analysis, under "Response to IS/NOP Comments." Therefore, these issues are not addressed further in this section.

Environmental Setting

This subsection discusses the environmental setting pertaining to potable water and wastewater as applicable to the Project.

Potable Water

The following discussion about water supply and demand, planned water supply projects and programs, water demand management measures, and the Water Shortage Contingency Plan (WSCP) has been developed using information from the Fresno UWMP (City of Fresno 2008). The City updated its Fresno UWMP in 2008. Therefore, this constitutes new information that was not discussed in the 1998 EIR and needs to be discussed in this Draft SEIR.

Supply and Demand

The Fresno UWMP compared current and future supply and demand for potable water in the City by considering the General Plan population projections, land use types, and existing and projected future water supplies. The projected supply and demand during a normal year, single dry year, and multiple dry years for 2010, 2015, 2020, 2025, and 2030 are shown in Table 3E-1.

Table 3E-1. Projected City Water Supply and Demand through 2030

Year	Year Type	Supply (af/yr) ¹	Demand (af/yr) ²
2010	Normal Year	163,300	163,300
	Single Dry Year	163,300	138,800
	Multiple Dry Year ³	163,300	138,800
2015	Normal Year	189,300	189,300
	Single Dry Year	179,100	160,900
	Multiple Dry Year ³	179,100	160,900
2020	Normal Year	206,400	206,400
	Single Dry Year	175,400	175,400
	Multiple Dry Year ³	175,400	175,400
2025	Normal Year	233,400	233,400
	Single Dry Year	203,300	198,400
	Multiple Dry Year ³	203,300	198,400
2030	Normal Year	249,000	249,000
	Single Dry Year	222,400	211,600
	Multiple Dry Year ³	222,400	211,700

Source: City of Fresno 2008.

¹ Supply amounts include groundwater, treated surface water, and recycled water. See Fresno UWMP (City of Fresno 2008) for more information.

² Demand amounts include conservation savings through demand management measures. See the “Demand Management Measures” subsection below for more information.

³ Multiple-dry-year scenarios include the possibility that the Water Shortage Contingency Plan would be triggered. See the “Water Shortage Contingency Plan” subsection below for more information. This plan is triggered in stages, depending upon water supply shortage.

The City projects that it will have adequate water supplies through 2030, as shown in Table 3E-1. According to the Fresno UWMP, there are no “projected supply shortfalls.” However, this is contingent upon the timely implementation of planned supply projects and programs, including demand management measures and a water shortage contingency plan, which are discussed below.

Since the Fresno UWMP is based on General Plan population projections and the Project has been analyzed in the General Plan, the Project is considered consistent with the General Plan but with some exceptions, as discussed below. In compliance with CEQA, the Fresno UWMP states that the City must include the proposed future water supply discussed in the Fresno UWMP as part of the EIR for the future General Plan update. The water supply analysis in the EIR for the future General Plan update would ensure that the Project would remain consistent with the General Plan and would be accounted for in the Fresno UWMP.

Planned Water Supply Projects and Programs

As part of its General Plan update, the City has developed a water supply plan to meet future demand using both currently available and new water sources. The water supply plan consists of the following:

- expansion of the City's water conservation program,
- expansion of the City's surface water treatment capacity,
- continued use of groundwater along with expansion of the City's intentional groundwater recharge program, and
- development of a recycled water program for landscape irrigation.

Water Conservation Program Expansion

Although not an additional water supply, additional water conservation is an important component of the water supply plan because it would reduce demand and, therefore, reduce the need for additional future water supplies. The City currently has a water conservation program in place, and the City expects to reduce demand by an additional 10% as residential customers become metered. Furthermore, the City plans to reduce demand an additional 5% starting in 2010 and an additional 5% by 2020. The total reduction in demand by 2020 would be 20%. Please see the "Demand Management Measures" subsection below for specifics about the expansion of existing water conservation programs and introduction of new water conservation programs.

Surface Water Treatment Capacity Expansion

The City also plans to expand current water treatment capacity from 27.5 million gallons per day (mgd) to 120 mgd by 2020 by expanding the current surface water treatment facility (SWTF) and constructing a new southeast SWTF.

Groundwater Recharge Program Expansion

The Fresno UWMP anticipates that current groundwater pumping would decrease from current levels as the City increases surface treatment capacity. However, to balance groundwater operations by 2025 (i.e., annual pumping equal to annual recharge) and offset the decrease in subsurface inflow, intentional groundwater recharge operations would be increased. The City estimates that subsurface inflow for the City's sphere of influence is about 65,000 acre-feet per year (af/yr), but it is unclear how much of this inflow is available to the City. Therefore, the Fresno UWMP assumes that there is not subsurface inflow available and that groundwater recharge operations must account for this decrease. A further discussion of groundwater characteristics and operations can be found in Section 3C, Hydrology and Water Quality.

Development of Recycled Water for Landscape Irrigation

Starting in 2025, the City assumes that recycled water will be used in the southeast growth area and eventually other portions of the City for landscape irrigation and other non-potable water uses, thereby reducing potable water demands. In the next few years, the City will develop a recycled water distribution master plan to identify potential future uses and plan for the necessary infrastructure. The City also plans to provide tertiary treatment facilities to meet future recycled water demand needs.

Water Demand Management Measures

The following discussion briefly describes the numerous demand management measures (DMMs), as required by the UWMP Act, that the City has implemented or proposes for urban water conservation:

- Water Survey Programs—The City offers interior and exterior water conservation programs to single-family and multi-family residential customers to inform them about saving water, qualify them for rebates for water-efficient toilets and clothes washers, and provide water-efficient hardware and hose nozzles. The program is marketed and offered in conjunction with an ongoing toilet rebate program. There is currently funding for this program.
- Residential Plumbing Retrofit—The City offers free low-flow showerheads and faucet aerators to rate payers. These are provided in conjunction with interior and exterior water conservation programs. Currently, there is no funding for this program.
- System Water Audits and Leak Detection and Repair—The City is currently reviewing new leak detection technology, and a full water system audit will be conducted as soon as the City is fully metered. There is currently funding for this program.

- Metering of All New Connections and Retrofit of Existing Connections—The City has developed a meter installation plan and schedule to install meters and begin charging metered rates on or before 2013, in compliance with Senate Bill (SB) 229 and Assembly Bill (AB) 514. Meter retrofit installations started in 2008. There is currently funding for this program.
- Large Landscape Conservation Programs—The City offers landscape surveys and recommends cost-effective repair or enhancement measures. The City also offers rebates to rate payers to purchase updated and more efficient automatic irrigation timers. The City is also a supporting partner in the Clovis Botanical Gardens, which serves as a demonstration garden. The City has also received a grant to develop a demonstration xeriscape median island on a major street. There is currently funding for this program.
- High-Efficiency Washing Machine Rebate Programs—The City implemented a high-efficiency clothes washer rebate program. City water customers may also be eligible for a rebate program through PG&E. The City is also a participant in the Flex Your Power program. The City chooses local non-profit organizations so they can receive new EnergySTAR clothes washers and dryers. This is provided in conjunction with interior and exterior surveys. There is currently no funding for this program.
- Public Information Programs—The City contracts with a private public relations firm to help manage a water conservation public information program that includes promotion, media placement, and marketing. The City is also a member of the Central Valley Water Awareness Committee, which was created to increase public understanding about water. There is currently funding for this program.
- School Education Programs—The City works with schools within the service area to educate students about water conservation. City employees attend environmental education initiative workshops. There is currently funding for this program.
- Conservation Programs for Commercial, Industrial, and Institutional Accounts—The City does not have a qualified staff position for this program but is requesting one. The City has an ordinance that requires water conservation devices on water-cooled refrigeration units and evaporative coolers. There is currently funding for this program.
- Wholesale Agency Programs—The City provides wholesale water in two limited areas, but the City is not considered a water wholesaler. Therefore, this UWMP Act program is not applicable to the City.
- Water Conservation Pricing—Although only 14% of customers are metered, the City is currently preparing a rate study that will consider the need for future rate increases, future conversion from flat rates to metered rates for single-family residential connections, and future conversion from uniformed metered rates to block rates for all metered connections in accordance with AB 514. This program does not require funding.

- Water Conservation Coordinator—The City has a full-time water conservation supervisor and eight permanent support staff members who address the water conservation needs for the City. There is currently funding for this program.
- Water Waste Prohibition—The City prohibits water waste by ordinance; the City has a hotline and reporting form. The City monitors water waste in the field. There is currently funding for this program.
- Residential Ultra-Low-Flush Toilet Replacement Programs—The City has implemented a rebate program for residential ultra-low-flush toilets, which encourages the installation of such toilets in older homes. There is currently funding for this program.

Water Shortage Contingency Plan

The WSCP is a four-stage plan. Each stage is triggered by water shortages of up to 50%. Table 3E-2 shows the conditions that trigger each stage of the WSCP. Specifics about the possible triggers can be found on page 9-4 of the Fresno UWMP.

Table 3E-2. City’s Water Supply Storage Stages and Conditions

Stage	Shortage Condition	Demand Reduction Goal	Program Type
1	Minimal Shortage: Up to 10%	10%	Voluntary
2	Moderate Shortage: 10% to 25%	25%	Mandatory
3	Severe Shortage: 25% to 35%	35%	Mandatory
4	Critical Shortage: 35% to 50%	50%	Mandatory

Source: City of Fresno 2008.

The WSCP is not a binding legal document but, rather, a comprehensive summary of water use reduction criteria that are built on by municipal code and ordinances, Department of Water Resources references, and common water industry practices.

During a Stage 1 or 2 water shortage scenario, water production (i.e., surface water treatment and well production) figures would be reported daily to the City’s chief of water operations to determine if reduction goals are being met. The water division manager and director of public utilities would review the reports weekly. If reduction goals are not met, then the director of public utilities would notify the city manager, mayor’s office, and city council so that corrective action can be taken. During a Stage 3 or 4 water shortage scenario, the procedure would remain the same except that the water division manager would also receive daily reports.

If a water shortage were the result of a disaster, then production figures would be reported to the chief of water operations hourly or on demand and to the water division manager daily. Regular reports would also be provided to the city manager, mayor's office, city council, California Department of Health Services, and the City and/or Fresno County Office of Emergency Services as warranted by the emergency.

Wastewater

The following discussion about 1998 EIR findings, sewer system management, and the sewer capital improvement program was developed using information from the 1998 EIR (Redevelopment Agency of the City of Fresno 1998), SSMP (City of Fresno 2009), and WCSMP (City of Fresno 2006). The City prepared the WCSMP in 2006 and the SSMP in 2009. Therefore, this constitutes new information that was not discussed in the 1998 EIR and needs to be discussed in this Draft SEIR.

Wastewater impacts are primarily the product of the capacity and the condition of the conveyance facilities, along with treatment plant capacity. Wastewater adequacy does not have a project-level discretionary process to ensure that adequate facilities are present prior to development. The SSMP is the City's planning document. It provides a mechanism for properly managing, operating, and maintaining all parts of the sewer system to reduce or prevent sanitary sewer overflows (SSOs). Attached to the SSMP, the WCSMP fills a need that was disclosed in the General Plan: the City requires a comprehensive planning tool that can be used to determine the least expensive method of providing adequate sewer capacity to accommodate existing and future users (City of Fresno 2006).

1998 EIR Findings

The 1998 EIR acknowledges that sections of the wastewater distribution system (sewer system) are antiquated and in need of repair or replacement (Redevelopment Agency of the City of Fresno 1998). As described in the 1998 EIR, although the trunk sewer lines that serve the Project Area have been completed and are adequate in terms of capacity to accommodate planned land uses, there are deficiencies in the main sewer system that serves the area (Redevelopment Agency of the City of Fresno 1998). These deficiencies are found in the Fulton Constituent Project Area where several of the sewer lines were installed in the 1880s, and the majority of the branch sewer lines have not been upgraded since the 1920s and, therefore, are in need of replacement (Redevelopment Agency of the City of Fresno 1998). Major sections of the sewer system in the Fulton Constituent Project Area would not be able to support planned land uses as a result of the Project (Redevelopment Agency of the City of Fresno 1998). The sewer system in the South Van Ness Industrial Constituent Project Area is also antiquated and undersized with respect to the area's industrial land use designation (Redevelopment Agency of the City of Fresno 1998). The majority of

the sewer system in the South Van Ness Industrial Constituent Project Area was constructed in a piecemeal fashion in response to the pattern of residential development. Some of the industrial sites and older residential lots are not connected to the City's sewer system but, rather, are still maintained through onsite septic systems (Redevelopment Agency of the City of Fresno 1998).

Sewer System Management

The City, as required by the State Water Resources Control Board (SWRCB), developed and implemented the SSMP in 2006 (see "State Water Resources Control Board," below, for more information). All of the mandatory elements of the SSMP have been met with programs or ordinances already in place: City Municipal Code; WCSMP; Fats, Oils, and Grease (FOG) Control Program; Sanitary Sewer System Overflow Prevention and Response Plan; performance measures; and public information/education opportunities (City of Fresno 2006).

The City, through the Department of Public Utilities, is dedicated to achieving the following goals:

- minimizing preventable SSOs,
- maintaining an effective and timely SSO prevention and response plan,
- developing an accurate database to prioritize areas with major maintenance or rehabilitation needs,
- implementing an effective FOG Control Program,
- implementing an effective Root Control Program,
- implementing an adequate Sewer Collection Rehabilitation Program,
- providing adequate sewer capacity to accommodate future growth through periodic WCSMP revisions,
- developing a public outreach program and addressing SSO prevention and the importance of sewer collection infrastructure, and
- providing a safe work environment for all operators of the system.

Most important for purposes of this SEIR is that the SSMP prioritizes major maintenance or rehabilitation needs, implements an adequate sewer collection rehabilitation program, and incorporates a plan to provide adequate sewer capacity to accommodate future growth through the WCSMP. The SSMP supports the City's projected growth until 2025 (City of Fresno 2006), provided that future development is consistent with the General Plan.

The timing of each project identified in the WCSMP (see "Capital Improvement Program," below, for the planned sewer projects in the Project Area) is reviewed annually before budget submissions for the following fiscal year, taking into account any recent changes in factors that may affect the collection system. The timing of the project is then adjusted accordingly (City of Fresno 2006).

The goal of the WCSMP, as appended to the SSMP, is to develop a long-range planning document that assists the City with managing the sewer capital improvement program and updating impact and connection fees. Specific objectives of the WCSMP include the following:

- identifying and evaluating improvements for the existing and future collection system necessary to serve proposed growth,
- developing a comprehensive capital improvement program that includes hydraulic projects as well as rehabilitation projects to address corrosion, and
- reviewing impact and connection fees for adequacy to recover rehabilitation and growth costs.

The WCSMP is updated on an approximate 5-year basis or sooner if significant changes to the planning assumption occur.

Capital Improvement Program

The WCSMP describes the City's sewer capital improvement program, which is a comprehensive plan to incorporate the recommended improvements discussed in the WCSMP and estimate the cost, priority, and scheduling of the improvements (City of Fresno 2006). As shown in Table 3E-3, eight planned sewer capital improvements are entirely or partially in the Project Area.

Table 3E-3. Sewer Capital Improvements in the Project Area

Sewer Capital Improvement Name	Brief Description
RL03	Large-diameter sewer rehabilitation project with a priority number of 3. Entirely in Project Area.
RL10	Large-diameter sewer rehabilitation project with a priority number of 10. Partially in Project Area.
RL12	Large-diameter sewer rehabilitation project with a priority number of 12. Partially in Project Area.
RS06A	Secondary sewer rehabilitation project with a priority number of 6 (first priority of the priority number 6 group). Entirely in Project Area.
RS06B	Secondary sewer rehabilitation project with a priority number of 6 (second priority of the priority number 6 group). Entirely in Project Area.
RS06D	Secondary sewer rehabilitation project with a priority number of 6 (fourth priority of the priority number 6 group). Entirely in Project Area.
RS06E	Secondary sewer rehabilitation project with a priority number of 6 (fifth priority of the priority number 6 group). Entirely in Project Area.
F8	New infill project with a priority number of 8. Partially in Project Area.

Source: City of Fresno 2006.

Large-diameter sewer rehabilitation projects are those involving concrete sewers that are 27 inches or larger in diameter, 10 years of age or older, and in poor or very poor condition. Secondary sewer rehabilitation projects are those involving concrete sewers that range from 12 to 27 inches in diameter and are in moderate condition. New infill projects consist of sewer improvements in developed areas where no sewer is available and residents rely on septic systems. Planned sewers for these areas range in size from 8 to 12 inches in diameter.

Applicable Regulations

State

Urban Water Management Plan Act

The UWMP Act (California Water Code, Division 6, Part 2.6) was established in 1983 by Assembly Bill 797. It establishes the requirements for a UWMP. The UWMP Act requires every urban water supplier to update its UWMP every

5 years, on or before December 31, in years ending in five and zero. It mandates the UWMP to

- describe the service area of the supplier;
- identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier, including groundwater;
- describe the reliability of the water supply and its vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for a normal year, single dry year, and multiple dry years;
- describe the opportunities for exchanges or transfers of water on a short-term or long-term basis;
- quantify, to the extent records are available, past, current, and projected future water use;
- describe and evaluate the supplier's water demand management measures;
- describe all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use; and
- provide an urban water shortage contingency analysis.

The Fresno UWMP is consistent with the UWMP Act and contains all of the required components.

Senate Bill 610

In accordance with the requirements of SB 610, effective January 1, 2002, a water supply assessment (WSA) is required for any "project" defined in Water Code Section 10912, which is subject to CEQA. Such projects require a city or county to consider a WSA for the development to determine whether projected water supplies available to the proposed project are sufficient to meet the project's anticipated water demand.

Under Section 10912(a), a "project" is defined as meeting any of the following criteria:

- a proposed residential development of more than 500 dwelling units;
- a proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- a proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- a proposed hotel or motel, or both, having more than 500 rooms;
- a proposed industrial, manufacturing, or processing plant or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;

- a mixed-use project that includes one or more of the projects defined above;
or
- a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project.

Future development in the Project Area could require a WSA in accordance with SB 610 if undertaken on a large-scale basis. Any such WSA would be expected to rely substantially on the Fresno UWMP.

State Water Resources Control Board

The SWRCB issued Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR). This order is applicable to any entity that owns and operates a sewer collection system greater than 1 mile in length. It consists of a number of components and reporting requirements. The purpose of the order is to establish systemwide operation, maintenance, and management plans to reduce SSO. The order lists two prohibitions: 1) any SSO that results in a discharge of wastewater to waters of the United States and 2) any SSO that creates a public nuisance. As part of the order, the City is required to prepare a SSMP that must be available to the SWRCB upon request (see “Sewer System Management,” above, for more information). As required by the order, the SSMP must:

- establish the legal authority to prevent discharges into the City’s sewer system;
- require that sewers and connections be properly designed and constructed;
- ensure access for maintenance, inspection, or repairs for those portions of the sewer maintained by the City;
- limit the discharge of FOG and other debris that may cause blockages; and
- enforce any violations in the sewer ordinance.

Local

City of Fresno Municipal Code Sections 6-304, 6-305, and 6-337

Verbatim text from the City’s Municipal Code, Chapter 6 (Municipal Services and Utilities), Article 3 (Sewage and Water Disposal), Sections 6-304, 6-305, and 6-337 can be found in Appendix D. It discusses required permits and the payment of sewer connection charges, sewer service charges, and sewer service funds.

City of Fresno Municipal Code Sections 12-405 and 12-406

Verbatim text of the City’s Municipal Code, Chapter 12 (Land Use Planning and Zoning), Article 4 (Procedures Applicable to Zoning), Sections 12-405 and 12-406 that are applicable to special permits can be found in Appendix D. If future development within the Project Area is determined by the City to require “special conditions,” as a result of and including, but not limited to, unusual water demand not accounted for by the Fresno UWMP, the City’s Municipal Code allows the City to require that “all special conditions required by the city as a condition in a covenant, agreement, or special permit are met.” Special conditions could include that water conservation be built into such development as a condition of site plan approval in accordance with the City’s Municipal Code. Site plan approval would require site plan review for the issuance of a special permit for applicable future development. The site plan review process includes planning director’s review and decision, opportunity to appeal the director’s decision to the Planning Commission, and opportunity for the public to comment on future development through a public hearing process.

2025 Fresno General Plan

The following goals and objectives in the General Plan (City of Fresno 2002) are applicable to wastewater facilities and water supply:

Goal 7: Manage growth to balance Fresno’s urban form while providing an adequate public service delivery system, which is fairly and equitably balanced; and

Goal 14: Protect and improve public health and safety.

Sewer

E-18. OBJECTIVE: Ensure provision for adequate trunk sewer and collector main capacities to serve existing and planned urban development and economic diversification, including existing developed uses not presently connected to the public sewer system consistent with the Wastewater Management Plan.

E-20. OBJECTIVE: Ensure the provision of adequate treatment and disposal by utilizing the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility as the primary facility, when economically feasible, for all existing and new development within the metropolitan area.

E-21. OBJECTIVE: Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

Water

E-22. OBJECTIVE: Manage and develop the City of Fresno’s water facilities to ensure a safe, economical, and reliable water supply for existing and planned urban development and economic diversification.

Water Resources

G-2. OBJECTIVE: Maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area and ensures that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development

G-3. OBJECTIVE: Protect water resources in the area from further degradation in quality.

G-4. OBJECTIVE: Manage, use, and replenish water resources to maintain a balanced “water budget” in the Fresno area.

Central Area Community Plan

The following goals and policies in the Central Area Community Plan (City of Fresno 1989) are applicable to wastewater facilities and water supply:

Infrastructure Goal: Provide an effective, comprehensive infrastructure system to support existing development, accommodate growth, and enhance the vitality of the Central Area.

Infrastructure Policy 1: The City of Fresno and other public agencies that are responsible for provision of the streets, sewers, water, and storm drainage components of the Central Area’s infrastructure system shall maintain, complete, and improve the public infrastructure systems.

Roosevelt Community Plan

The following goals and policies in the Roosevelt Community Plan (City of Fresno 1992) are applicable to wastewater facilities and water supply:

Sewage Treatment

Goal 4-1: Assure the provision of adequate sewage treatment and disposal by utilizing the City of Fresno’s regional wastewater treatment plant for all existing and new development within the Roosevelt Community Plan area.

Policies and Implementation Measures

- 4-1.1 Provide increased wastewater treatment plant capacity in a timely manner to facilitate planned urban development within the Roosevelt Community Plan area.
- 4-1.2 Implement cost effective and environmentally beneficial operational and management measures to maximize the efficiency of the regional wastewater treatment facility.
- 4-1.3 Monitor wastewater treatment plant flows to the extent feasible, and consider the sewer treatment impacts of land use plan changes when evaluating plan amendment proposals.
- 4-1.4 Require “ability to serve” findings prior to the approval of rezoning special permits, subdivisions, and parcel maps.
- 4-1.5 Oppose the use of septic systems, “package” treatment plants (except for industrial pretreatment) or other nonregional sewage treatment and disposal systems within the Roosevelt Community Plan area and its groundwater influence area, if these wastewater treatment modalities would result in discharges which could result in groundwater degradation.

Sanitary Sewer

Goal 4-2: Assure the provision of adequate sewer trunk line and collector main capabilities to serve existing and planned urban development within the Roosevelt Community Plan area.

Policies and Implementation Measures

- 4-2.1 Pursue the immediate construction of the Fowler Sewer Trunk Line with capacity to serve planned urban development and existing land uses not presently connected to the public sewer system.
- 4-2.2 Pursue the enlargement or extension of the sewage collection system where necessary to serve planned urban development, particularly the planned industrial areas where development has been inhibited by the lack of sewer availability.
- 4-2.3 Upon completion of the Fowler Sewer Trunk Line, pursue the mandatory abatement of existing septic systems and connection to the public sewage collection and disposal system.
- 4-2.4 Pursue implementation, if feasible, of a sewage flow monitoring system and computerized flow modeling program to determine the availability of sewage collection system capacities to serve planned urban development. When available, this information shall be considered in the evaluation of plan amendment applications.
- 4-2.5 Require that a finding be made by the Public Works Department that adequate sewer services can be provided to serve each proposed

development prior to the approval of rezoning, special permits, tract maps, and parcel maps.

Public Water Supply

Goal 4-3: Ensure the continued provision of an adequate supply of potable water to serve all urban development within the planned urban area.

Policies and Implementation Measures

- 4-3.1 Require that a specific finding be made by the City Public Utilities Director and Fire Chief to document that an adequate supply of clean potable water can be provided to serve domestic and fire suppression needs of each proposed development prior to approval of rezoning, special permits, tract maps, and parcel maps.
- 4-3.2 Pursue implementation, if feasible, of a computerized production, distribution, and demand flow program to predict and verify the service characteristics of the City's public water supply system.
- 4-3.3 Ensure that conditions of approval are implemented with each urban development proposal, to assure that necessary potable water production and supply facilities are in place prior to issuance of a building permit.
- 4-3.4 Obtain adequately sized water well sites to accommodate well-head treatment facilities, regardless of the initial water quality test results and implement a well-head treatment facility charge for all new development.
- 4-3.5 Locate, design, construct, operate, and maintain water well pump and well-head treatment installations which meet drinking water standards and are compatible with the surrounding uses. Landscaping, together with walls or screened fencing shall be used, as necessary, to promote aesthetic compatibility with residential, office, commercial, public, or open space uses.
- 4-3.6 Implement water conservation programs that will result in decreased per capita water consumption.
- 4-3.7 Determine the optimum location of water recharge basins to maximize water recharge capacity and develop a system of recharge basins cooperatively with the Fresno Metropolitan Flood Control District, and the City Water Division. Implement recharge facilities fees.
- 4-3.8 Require the proper construction and monitoring of facilities using or storing hazardous materials in accordance with state and federal regulations to prevent contamination.
- 4-3.9 Implement measures to reduce water consumption such as drought-tolerant landscape design and low water use plumbing fixture standards.

Impacts and Mitigation

Potential impacts of the Project on wastewater facilities and water supply are discussed below.

Methodology

The potential impacts associated with the Project are evaluated on a qualitative basis using existing documentation and professional judgment. Significant impacts would occur if the Project were to affect wastewater facilities adversely or result in insufficient water supply to support future development. The potential impacts are examined in the context of the impacts and mitigation measures identified in the 1998 EIR. These impacts are assessed through the significance criteria established for the Project as identified below.

Criteria for Determining Significance

According to Appendix G of the State CEQA Guidelines and the IS/NOP analysis (see Appendix A), the Project would have a new or more severe significant impact on utilities and service systems if it would:

- require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities (including sewer capital improvements) for reasons that were not known and could not have been known at the time of certification of the 1998 EIR, the construction of which could cause environmental effects;
- have insufficient water supplies available to serve the Project from existing entitlements and resources or require new or expanded entitlements; or
- result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Project Impacts

Impact UTIL-1. The Project could require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities (including sewer capital improvements) for reasons that were not known and could not have been known at the time of certification of the 1998 EIR, the construction of which may cause significant environmental effects.

The SSMP and WCSMP are based on the City's projected growth until 2025, pursuant to the General Plan. The Project requires language found within the Constituent Redevelopment Plans to be consistent with the current General Plan and future General Plan updates and any applicable specific or community plans. Therefore, the Project is covered under the SSMP, and adequate sewer capacity is likely to be available to the Project but with the following exceptions:

- The Project includes expiration dates for redevelopment within the Convention Center (1/12/35), Jefferson (12/18/37), Chinatown Expanded (1/28/38), Fulton (7/6/29), and South Van Ness Industrial (7/6/29) Constituent Project Areas that are beyond the 2025 date analyzed in the SSMP. Sewer capacity has not been analyzed and capital improvement programs have not been developed for these Constituent Project Areas beyond 2025; therefore, it is unknown whether there is adequate sewer capacity for future development within these Constituent Project Areas after 2025. Future development after 2025 in these Constituent Project Areas could exceed sewer capacity, requiring the City to construct new wastewater treatment facilities or expand existing facilities.
- The WCSMP is updated on an approximate 5-year basis or sooner if significant changes in the planning assumption occur. Therefore, it is not certain whether future development before 2025 for the entire Project Area would be covered under the assumptions for the WCSMP if future development significantly changes the planning assumption and, as a result, future development within the Project Area before 2025 requires the construction of new wastewater treatment facilities or expansion of existing facilities. Future development as a result of the Project may also change the priority of sewer capital improvements in the future.

Future development within the Project Area would be required to obtain a sewer permit from the City director of development to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development would also have to pay a sewer service charge in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established where sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the publicly owned treatment works (POTW), including wastewater treatment plant (WWTP) expansions and new construction. The eight sewer capital improvements in the Project Area outlined in the WCSMP (see Table 3E-3) would also be funded through the sewer service fund. Future POTW acquisition, construction, and reconstruction (WWTP and sewer capital improvements) would be subject to additional CEQA analysis that includes mitigating environmental impacts to the greatest extent feasible, which is out of the scope of this SEIR. Obtaining a sewer permit and paying necessary charges in accordance with City Municipal Code, coupled with future WWTP CEQA review, would result in a less-than-significant impact due to the construction of new wastewater treatment facilities or expansion of existing facilities, including sewer capital improvements.

The 1998 EIR acknowledges that sections of the City's wastewater collection system are in need of replacement due to age but that compliance with the City Municipal Code would reduce impacts to less than significant. As discussed above, future development would have to comply with the City Municipal Code. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts on wastewater treatment facilities would result as part of the Project that have not already been disclosed in the 1998 EIR.

Mitigation Measures

No mitigation is required.

Level of Significance after Mitigation

Impacts would be less than significant.

Impact UTIL-2. The Project could have insufficient water supplies available to serve the Project from existing entitlements and resources.

The Fresno UWMP is based upon General Plan population projections, and the Project has been analyzed in the General Plan. The Project also requires that the language found within the Constituent Redevelopment Plans be consistent with the current General Plan and future General Plan updates and any applicable specific or community plans. According to the Fresno UWMP, the City has sufficient water supplies through 2030 for development, consistent with the General Plan for the normal, single-dry-year, and multiple-dry-year scenarios.

Therefore, the Project is covered under the Fresno UWMP, and an adequate water supply is available to the Project, with the following exceptions:

- According to the City’s Department of Public Utilities, future mixed-use development (such as Commercial/Mixed Use Level 1 [Central Area] and Commercial/Mixed Use Level 2 [Central Area]) and development that exceeds land use-based water allocations due to constructing high-water-use characteristics (such as water features, excessive amounts of landscaping, and over densification) could exceed water allotments found in the Fresno UWMP.
- The Project includes expiration dates for redevelopment within the Convention Center (1/12/35), Jefferson (12/18/37), and Chinatown Expanded Constituent Project Areas (1/28/38) that are beyond the 2030 date analyzed in the Fresno UWMP. Water supply has not been analyzed for these Constituent Project Areas beyond 2030; therefore, it is unknown whether there is an adequate water supply for any future development within these Constituent Project Areas after 2030. Future development after 2030 in these Constituent Project Areas could exceed water allotments found in the Fresno UWMP.

Future developments that are mixed-use projects, proposed to contain high-water-use characteristics, and/or proposed for development after 2030 and within Constituent Project Areas with expiration dates for redevelopment beyond 2030, would be considered by the City as having “special conditions” due to possible water demand that may not be accounted for in the Fresno UWMP. Therefore, these specific types of future development would be subject to site plan review and would be issued a special permit in accordance with City Municipal Code Sections 12-405 and 12-406. In accordance with the City Municipal Code, the City could place water conservation conditions on future developments or require the purchasing of additional water entitlements to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance of a special permit. Some examples of water conservation conditions include:

- incorporating water efficiency and conservation in construction specifications;
- using water-efficient plumbing fixtures and integrating other water-saving devices into buildings;
- designing landscape for water efficiency through the use of native plants that are tolerant of local soil and rainfall conditions;
- complying with the Department of Energy’s International Performance Measurement and Verification Protocol (IPMVP) for water use;
- installing water-conserving cooling towers that are designed with delimiters to reduce drift and evaporation;
- reducing evaporation through controlled, scheduled irrigation at dawn and dusk;
- requiring the elimination of leaks, caulking around pipes and plumbing fixtures, and annual checks of hoses and pipes; and

- specifying that WaterSense-labeled¹ products be used during future operations.

Applicants involved with future development would be required to execute a covenant in a form approved by the city attorney. It will contain the conditions imposed and be recorded in the Office of the County Recorder (City Municipal Code Section 12-405(B)(1)). The site plan review process includes a city planning director's review and decision process, an opportunity to appeal the director's decision to the planning commission, and an opportunity for the public to comment on future development through a public hearing process in accordance with City Municipal Code Section 12-406.

Mitigation Measure MM UTIL-1, below, ensures that future development that is mixed use, contains proposed high-water-use characteristics, and/or is proposed for development after 2030 and within Constituent Project Areas with expiration dates for redevelopment beyond 2030 would be required to undergo a site plan review in accordance with City Municipal Code. Implementation of Mitigation Measure MM UTIL-1 would reduce potential water supply impacts as a result of the Project to a less-than-significant level.

Future large-scale development that is defined as a "project" under SB 610 would be required to prepare a WSA that analyzes whether the future development has adequate available water supplies to meet its anticipated water demand. Obtaining an additional water supply can also be a condition placed on future development as part of the site review process. Compliance with SB 610 would result in a less-than-significant impact for future large-scale development that is defined as a "project" in accordance with SB 610.

The 1998 EIR states that the Water Resources Management Plan (now replaced by the updated Fresno UWMP) requires an improvement in the balance between water consumption and water recharge. The Fresno UWMP also requires balancing water consumption with recharge by 2025. The 1998 EIR states that the Project was consistent with the City's plans and policies (including the previous General Plan, Central Area Community Plan, and Roosevelt Community Plan) for water supply in 1998. The Project, with implementation of Mitigation Measure MM UTIL-1, would be consistent with the Fresno UWMP and General Plan, as they may be amended from time to time. Therefore, pursuant to State CEQA Guidelines Section 15162, no new or more severe impacts on water supply would result as part of the Project that have not already been disclosed in the 1998 EIR.

Mitigation Measures

MM UTIL-1. Site Plan Review Trigger

In order to comply with the Fresno UWMP, as it may be amended from time to time, as part of the City's Special Permit review process, set forth in Fresno

¹ WaterSense, a partnership program sponsored by EPA, seeks to protect the future of our nation's water supply by promoting water efficiency and enhancing the market for water-efficient products, programs, and practices.

Municipal Code, Section 12-405 and 12-406, the Department of Public Utilities shall evaluate the anticipated water usage of future developments, utilizing procedures and protocols it has developed to evaluate anticipated water demand, to determine whether the anticipated demand generated by the particular development is consistent with the anticipated demand set forth in the City's Urban Water Management Plan. These protocols will consider various factors in determining consistency, including but not limited to the planned land use for the development site as well as anticipated per capita water usage. If it is determined that the proposed development is anticipated to have water demand greater than what was anticipated in the UWMP, the City will consider those developments to have "special conditions" due to possible water demands that may not be accounted for in the Fresno UWMP. Therefore, the City may place additional water conservation conditions on these developments or require the acquisition of additional water entitlements to offset the water demand of these developments not covered in the Fresno UWMP as part of the issuance of a special permit. The City Planning Department shall be presented with a copy of the special permit prior to issuance of building permits.

Level of Significance after Mitigation

Impacts would be less than significant.

Impact UTIL-3. The Project could result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Please see Impact UTIL-1 for more information. Obtaining a sewer permit and paying any necessary charges in accordance with City Municipal Code would cover the cost for any needed additional sewer capacity as a result of future development. Impacts would be less than significant.

The 1998 EIR states that City's wastewater treatment system would be adequate through City Municipal Code compliance. As discussed above, future development would have to comply with City Municipal Code. Therefore, pursuant to State CEQA Guidelines Section 15162, no new or more severe impacts on wastewater treatment capacity would result as part of the Project that have not already been disclosed in the 1998 EIR.

Mitigation Measures

Implement Mitigation Measure MM UTIL-1.

Level of Significance after Mitigation

Impacts would be less than significant.

Chapter 4

Cumulative Impact Analysis

Chapter 4

Cumulative Impact Analysis

Introduction and Overview

The State CEQA Guidelines (Section 15130) require that cumulative impacts be analyzed in an EIR (including an SEIR) when the resulting impacts are cumulatively considerable and, therefore, potentially significant. Cumulative impacts refer to the combined effect of project impacts with the impacts of other past, present, and reasonably foreseeable future projects. The discussion of cumulative impacts must reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion does not need to be as detailed as the discussion of environmental impacts attributable to the proposed project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts. According to Section 15355 of the CEQA Guidelines:

“Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Furthermore, according to State CEQA Guidelines Section 15130 (a)(1):

As defined in Section 15355, a “cumulative impact” consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.

In addition, as stated in the State CEQA Guidelines, Section 15064(i)(5), it should be noted that:

[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

Therefore, the cumulative impacts discussion in an EIR (or SEIR) focuses on whether the impacts of the proposed project are cumulatively considerable within the context of combined impacts caused by other past, present, or future projects. The cumulative impact scenario considers other projects proposed within the area that have the potential to contribute to cumulatively considerable impacts.

Cumulative Impact Assessment Methodology

Determination of the significance of a cumulative impact, and whether the Project's incremental contribution to a cumulative impact is considerable, can be analyzed using either the project list or projection approach. This SEIR uses the projection approach, which bases the cumulative impact analysis on general growth projections contained in the General Plan. In using this approach, the Lead Agency relies on the General Plan to evaluate regional conditions that contribute to cumulative impacts.

CEQA focuses on whether a project's incremental contribution to a cumulative significant effect is "considerable." No analysis of a project's contribution is necessary when no cumulative significant effect has been identified for a given resource issue. The following environmental issue areas were screened out by the IS/NOP as having any potentially significant cumulative environmental issues (Appendix A):

- Aesthetics;
- Agricultural Resources;
- Biological Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Population and Housing;
- Public Services;
- Recreation; and
- Transportation and Traffic.

The IS/NOP determined that either the particular resource issue has no cumulatively significant impact or that the Project would not result in new or more severe cumulative impact that has not already been disclosed in the 1998 EIR for these environmental issue areas. The City received comments during the 30-day IS/NOP public scoping period, responses were prepared for each comment letter (see “Response to IS/NOP Comments” in Chapter 3, Environmental Analysis for more information), and the responses concluded that these environmental issue areas would not need to be further addressed in this Draft SEIR. Therefore, a cumulative impact analysis of these environmental issue areas is not included in this chapter.

Cumulative Baseline and Projected Growth

According to the General Plan, the City is expected to increase to a population of 790,955 by 2025, and 61% of Fresno County’s total population would live within the Fresno Metropolitan Area. Table 4-1 shows the General Plan population projections through 2025.

Table 4-1. Metropolitan Fresno Area Population Projections

2000	2005	2010	2015	2020	2025
482,495	544,187	605,879	667,571	729,263	790,955

Source: City of Fresno 2002.

Table 4-1 anticipates that Fresno is a rapidly growing city and will grow at an approximately 1.9% annual rate. This projection pre-dates the current national recession. Nonetheless, Fresno is expected to grow once the economy recovers.

More specific to the Project Area, the General Plan provides estimates for Community Plan Areas. The Project Area is found almost exclusively in the Central Area Community Plan Area with portions of the Project Area (mostly the South Van Ness Industrial Constituent Project Area) in the Roosevelt Community Plan Area. Table 4-2 shows the population projections for these two Community Plan Areas.

Table 4-2. General Plan Population Projections for the Central Area and Roosevelt Community Plan Areas

Community Plan Area	Population (2000)	Population (2025)	Population Increase
Central Area	14,919	27,764	+12,845
Roosevelt	115,846	154,882	+39,036

Source: City of Fresno 2002.

Although the Fresno area is currently experiencing the same economic downturn as the rest of the nation, it is clear from the Metropolitan Fresno Area and Community Plan Area projections that the City and Project Area will probably experience robust growth through 2025 when the economy makes its expected recovery.

Cumulative Impact Analysis

Cumulative impact scenarios may differ among environmental topics, depending on the potential area that would be affected. For example, the cumulative conditions for air quality should account for impacts in the SJVAB, while the cumulative impacts for noise are more local in scale, evaluating land use types in the Metropolitan Fresno Area that could be affected by cumulative projects.

Air Quality

Air Quality

Although incorporation of Mitigation Measure MM AQ-1 and MM AQ-2 (see Section 3A, Air Quality) and full compliance with all SJVAPCD rules and regulations would certainly temper air quality impacts that result from full build-out of the Project Area, these air quality impacts would not be reduced to a less-than-significant level. The region is in extreme violation of the federal ozone standard as well as PM2.5 standards, and even small emissions from future development that occurs as a result of the Project could exacerbate this violation. Therefore, cumulative air quality impacts are significant and unavoidable.

The 1998 EIR concluded that cumulative air quality impacts are significant and unavoidable for similar reasons as stated in this SEIR. Therefore, pursuant to CEQA Guidelines Section 15162, a new or more severe cumulative air quality impact would not result as part of the Project that has not already been disclosed in the 1998 EIR.

Climate Change and Greenhouse Gas Emissions

Adoption of the measures described in Mitigation Measures MM AQ-3 and MM AQ-4 (see Section 3A, Air Quality), when fully incorporated into future development projects within the Project Area, would lessen GHG emissions from within the Project Area and potentially even achieve a reduction target of 29% below business as usual conditions (BAU) as stated in AB 32. Without a quantitative analysis of GHG emissions from specific construction and operations proposed, it is not possible to know if the above listed measures would indeed achieve that target. Nevertheless, for the Project to achieve a broad reduction goal of 29% below BAU, in line with the state's goals, action is also

required of many third parties—including but not limited to CARB, EPA, and the SJVAPCD—to adopt and fully implement GHG reduction requirements applicable to numerous sectors as described above. Based on an abundance of caution, the Lead Agency concludes that GHG emissions from the Project are considered cumulatively considerable.

Climate change and greenhouse gas emissions consideration under CEQA was not a requirement in 1998 and therefore, impacts as a result of climate change and greenhouse gas emissions were not included as part of the 1998 EIR analysis. Therefore, pursuant to CEQA Guidelines Section 15162, a new cumulative climate change/greenhouse emissions impact would result as part of the Project that has not already been disclosed in the 1998 EIR.

Cultural Resources

The current Draft SEIR includes revisions to the mitigation measures identified in the 1998 EIR that add clarity and will improve their ability to reduce significant effects on the historic resources (particularly historic districts) within the Project area. But even with incorporation of mitigation outlined in this SEIR, cultural resources impacts would still occur as a result of site acquisition and clearance; indirect effects related to differences in scale, bulk and mass, architectural style, and color; and loss of continuity or association of the historic resource with its surroundings. Therefore, the Project would contribute to cumulatively considerable cultural resources impacts that are significant and unavoidable.

The 1998 EIR concluded that cumulative cultural resources impacts are significant and unavoidable. Therefore, pursuant to CEQA Guidelines Section 15162, a new or more severe cumulative cultural resources impact would not result as part of the Project that has not already been disclosed in the 1998 EIR.

Hydrology and Water Quality

Cumulative impacts to wastewater treatment facilities or water supply would occur if the cumulative projects, including future development as a result of the Project, would unduly tax the ability of utilities providers to provide adequate service to accommodate the cumulative projects to the communities they serve. Cumulative projects would substantially increase demand for wastewater capacity and water supply, including infrastructure expansion. However, all cumulative projects, including future development as a result of the Project, would have to obtain a sewer permit from the City Director of Development to connect to the existing sewer system, pay a sewer connection charge in accordance with City Municipal Code Section 6-304, and pay a sewer service charge in accordance with City Municipal Code Section 6-305 for operations. Additionally, all cumulative projects could be determined by the City to require “special conditions,” as a result of and including, but not limited to, unusual

water demand not accounted for by the Fresno UWMP. The City's Municipal Code (Sections 12-405 and 12-406) allows the City to require that "all special conditions required by the city as a condition in a covenant, agreement, or special permit are met." Special conditions could include that water conservation be built into such development as a condition of site plan approval in accordance with the City's Municipal Code. Site plan approval would require site plan review for the issuance of a special permit for applicable future development. The site plan review process includes the Planning Director's review and decision, opportunity to appeal the Director's decision to the Planning Commission, and opportunity for the public to comment on future development through a public hearing process. The City could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance of a special permit. Incorporation of measures identified for the Project in this section would reduce impacts of the Project to less-than-cumulatively considerable levels.

The 1998 EIR concluded that cumulative hydrology and water quality impacts would be less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, a new or more severe cumulative hydrology and water quality impact would not result as part of the Project that has not already been disclosed in the 1998 EIR.

Noise

The noise analysis described in Section 3D, Noise, is inherently a cumulative analysis. The analysis of stationary equipment noise accounts for the likelihood that multiple new commercial and light industrial facilities could potentially be constructed near dwellings within the Project Area. The traffic noise and railroad noise analyses prepared for the General Plan (City of Fresno 2002) accounted for Year 2025 traffic volume increases based on anticipated future build out of the region.

The cumulative impact at buildings inside the Project Area, similar to Impact NOI-1, would be significant. Future cumulative traffic and railroad increases would cause excessive future noise levels within many portions of the Project Area near freeways and railroads.

Even though the indirect impacts outside the Project Area (caused by Project-related traffic generated within the Project Area) would be less than significant, the cumulative impacts outside the Project Area would be significant. Even if project-related traffic is ignored, regional traffic volumes are high enough to cause excessive noise levels at city-wide homes close to freeways, major arterials, and rail lines. Therefore, cumulative noise impacts from the Project would be cumulatively considerable.

The 1998 EIR concluded that cumulative noise impacts would be less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, a more severe cumulative noise impact would result as part of the Project that has not already been disclosed in the 1998 EIR.

Utilities and Service Systems

Cumulative impacts to wastewater treatment facilities or water supply would occur if the cumulative projects, including future development as a result of the Project, would unduly tax the ability of utilities providers to provide adequate service to accommodate the cumulative projects to the communities they serve. Cumulative projects would substantially increase demand for wastewater capacity and water supply, including infrastructure expansion. However, all cumulative projects, including future development as a result of the Project, would have to obtain a sewer permit from the City Director of Development to connect to the existing sewer system, pay a sewer connection charge in accordance with City Municipal Code Section 6-304, and pay a sewer service charge in accordance with City Municipal Code Section 6-305 for operations. Additionally, all cumulative projects would be assessed development fees for water service and, if found to not be in compliance with the General Plan, could be subject to site plan review in order to be issued a special permit in accordance with City Municipal Code Sections 12-405 and 12-406 if individual projects are considered by the City to have “special conditions” due to possible water demand that may not be accounted for by the Fresno UWMP. The City could place water conservation conditions on such future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance of a special permit. Incorporation of measures indentified for the Project in this section would reduce impacts of the Project to less-than-cumulatively considerable levels.

The 1998 EIR concluded that cumulative utilities and service system impacts would be less than significant. Therefore, pursuant to CEQA Guidelines Section 15162, a new or more severe cumulative utilities and service system impact would not result as part of the Project that has not already been disclosed in the 1998 EIR.

Chapter 5

Alternatives Analysis

Introduction

CEQA requires an EIR (including an SEIR) to identify and evaluate a reasonable range of alternatives to a project that could feasibly avoid or lessen any significant environmental impacts while substantially achieving the basic objectives of the project. An EIR should also evaluate the comparative merits of the alternatives. This chapter describes potential alternatives to the Project that were considered, identifies alternatives that were eliminated from further consideration and the reasons for their rejection, and analyzes several alternatives in comparison to the potential environmental impacts associated with the Project.

Key provisions of the State CEQA Guidelines Section 15126.6 pertaining to the alternatives analysis are summarized below.

- The discussion of alternatives shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if those alternatives would impede to some degree the attainment of the project objectives or would be more costly.
- The “no project” alternative shall be evaluated, along with its impacts. The “no project” analysis shall discuss the existing conditions at the time the notice of preparation was published as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a “rule of reason”; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. Alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in State CEQA Guidelines Section 15126.6[f][1]) are environmental impacts, site suitability, economic viability, social and political acceptability, technological capacity, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the applicant could reasonably acquire, control, or otherwise have access to the alternative site.

Relationship to Project Objectives

An EIR (or SEIR) need not consider an alternative whose effects cannot be reasonably identified and whose implementation is remote or speculative or would be unable to achieve the basic project objectives. The major objectives of the Project are as follows:

- the elimination and prevention of the spread of blight and deterioration throughout the Project Area;
- the promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity;
- the retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, thereby encouraging the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area;
- the expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households; and
- the elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the Project Area adversely.

Possible Alternatives

CEQA requires an EIR to discuss the process by which its alternatives have been selected. Those alternatives that are potentially feasible, would substantially reduce one or more of the project's significant effects, and would meet most or all of its objectives are to be analyzed in the EIR. The No-Project Alternative is analyzed to provide perspective. Any alternatives that were considered but not chosen for analysis in the EIR are to be briefly discussed, along with the reasons for their rejection. Four possible alternatives were initially considered for inclusion in this Draft SEIR:

- Reduced Constituent Project Area Alternative,
- Reduced Time and Financial Time Limits Alternative,
- Other Entity or Entities Alternative, and
- No-Project Alternative.

Of these four alternatives, only the No-Project Alternative was considered further, for reasons explained below.

Alternatives Considered and Withdrawn

Alternatives that are remote or speculative or alternatives whose effects cannot be reasonably predicted need not be considered (State CEQA Guidelines Section 15126[f][2]). As stated above, alternatives may be eliminated from detailed consideration if they fail to meet most of the Project objectives, are not feasible, or do not avoid or substantially reduce any significant environmental effects (State CEQA Guidelines Section 15126.6[c]). The following alternatives were initially considered, then rejected.

Reduced Constituent Project Area Alternative

Under this alternative, one or more of the Constituent Project Area(s) would not be amended; therefore, each affected Constituent Project Area's financial limits would not be increased, and various applicable time limits would not be extended. As a result, the expiration date for the affected Constituent Project Area(s) would elapse sooner than with the Project, and the Agency would not be able to undertake a redevelopment activity in the affected areas after the current expiration dates have elapsed.

This alternative would not fully meet the basic Project objective of eliminating and preventing the spread of blight and deterioration *throughout* the Project Area because the portion of the Project Area that is composed of the affected Constituent Project Area(s) would not have the additional opportunity for redevelopment provided by Agency activities. The purpose of redevelopment throughout the Project Area is primarily to implement a comprehensive economic development strategy to alleviate the conditions of blight within the entire Project Area.

This alternative does not preclude the elimination of blight for the affected Constituent Project Areas, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project.

This alternative also does not fully meet the objective of promoting new and continuing private sector and government agency investment within the Project Area and retaining and expanding existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting owners, businesses, and public agencies in the revitalization because the Agency would not be able to advocate for affected Constituent Project Area(s) after the expiration dates had elapsed.

Additionally, this alternative may not fully meet the objective of expanding and improving the City's housing supply within the affected Constituent Project Area(s) because the Agency would not have the additional opportunity to facilitate the development of housing in the affected area, including housing for low- and moderate-income families and households. Although this does not preclude the possible expansion and improvement of the City's housing supply, such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project. And unlike the Project, this alternative would also not require the development of low- to moderate-income housing.

Finally, this alternative does not fully meet the objective of eliminating or ameliorating deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the Project Area adversely because the Agency would not have an opportunity to use available financial resources within the affected areas to eliminate or ameliorate deficiencies once the expiration dates have elapsed. This alternative does not preclude the elimination or amelioration of deficiencies, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of such improvements under this alternative is likely to be less than with the Project.

The Reduced Constituent Project Area Alternative may not reduce historic resource impacts by reducing the potential for the demolition of potentially significant historic resources as a result of Agency redevelopment activities within the affected Constituent Project Area(s). General Plan Policy G-11-c states:

Before the issuance of a formal demolition order by the city involving structures over fifty (50) years old, potential Local Register listing shall be reviewed by historic preservation staff, and if necessary, referred to the Historic Preservation Commission.

As such, development that involves the possible demolition of a building that meets this criterion would be subject to this policy, which involves the possible review by the Historic Preservation Commission for recommendation to the City Council for listing of the building on the Local Register. Once listed, it is much

more difficult to demolish the structure. Consequently, it is unclear whether this alternative would reduce historic resource impacts to any more substantial degree than do current requirements.

This alternative would also not develop a historical and archaeological context for the South Van Ness Industrial, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas to strengthen subsequent evaluations. This alternative would also likely not avoid significant air quality, greenhouse gas, and noise impacts because the severity of these impacts is driven primarily by reasonably foreseeable projects and projected growth. It appears that this alternative would not substantially lessen the majority of the significant effects of the Project. Therefore, this alternative has been eliminated from detailed consideration in the Draft SEIR because it fails to meet most of the Project objectives and does not avoid or substantially reduce any significant environmental effects in accordance with State CEQA Guidelines Section 15126.6(c).

Reduced Time and Financial Time Limits Alternative

This alternative would change the expiration dates for seven of the nine Constituent Redevelopment Plans (Mariposa, Central Business District, Convention Center, Jefferson, Chinatown Expanded, West Fresno I, and West Fresno II) from 10 years to 5 years.¹ Table 5-1 shows the current expiration dates for each of the seven Constituent Project Areas and the proposed expiration dates under this alternative.

¹ The Project does not propose the extension of the expiration dates for the Fulton and South Van Ness Industrial Constituent Project Areas.

Table 5-1. Current and Proposed Expiration Dates for the Constituent Project Areas for the Reduced Time and Financial Time Limits Alternative

Constituent Project Area	Current Expiration Date	Proposed Expiration Date (Alternative)
Mariposa	1/14/12	1/14/17
Central Business District	1/1/12	1/1/17
Convention Center	1/12/25	1/12/30
Jefferson	12/18/27	12/18/32
Chinatown Expanded	1/28/38	1/28/43
West Fresno I	1/1/12	1/1/17
West Fresno II	1/1/12	1/1/17
Fulton	7/6/29	7/6/29
South Van Ness Industrial	7/6/29	7/6/29

Source: Keyser Marston Associates, Inc. 2008.

Under this alternative, the tax increment for these seven associated Constituent Redevelopment Plans would be increased by only half of what is proposed by the Project, the time limits to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Project Areas would be increased by half of what was proposed, the time limits to receive tax increment and repay bonded indebtedness for seven of the nine Constituent Redevelopment Plans (Mariposa, Central Business District, Convention Center, Jefferson, Chinatown Expanded, West Fresno I, and West Fresno II) would be increased by half of what is proposed, and the time limits for the Agency’s authority to use eminent domain would be increased by half of what is proposed for all nine Constituent Project Areas.

Under this alternative, all other components of the Project would be unaltered. This means that the language, to be consistent with the current General Plan and future General Plan updates and any applicable specific or community plan, would be amended. This also means that existing historic resource mitigation would be augmented.

This alternative meets the basic Project objective of eliminating and preventing blight and deterioration throughout the Project Area, but it does not meet the objective as effectively as the Project because the Project would assist in meeting this objective for twice the length of time (10 years rather than 5 years). This alternative does not preclude the elimination of blight in the Project Area after the shortened timeframes, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project.

This alternative also does not fully meet the objective of promoting new and continuing private sector and government agency investment within the Project Area and retaining and expanding existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting owners, businesses, and public agencies in the revitalization because the Agency would be able to advocate for the Project Area for a reduced amount of time.

This alternative may not fully meet the objective of expanding and improving the City's housing supply within the Project Area because the Agency would not have the opportunity of an extra 5 years to facilitate the development of housing. This alternative does not preclude the possible expansion and improvement of the City's housing supply, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project. And unlike the Project, this alternative would also not require the development of low- to moderate-income housing.

Finally, this alternative does not fully meet the objective of eliminating or ameliorating deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the Project Area adversely because the Agency would have the opportunity to use available financial resources within the affected areas to eliminate or ameliorate deficiencies for a reduced amount of time. This alternative does not preclude the elimination or amelioration of deficiencies, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of such improvements under this alternative is likely to be less than with the Project.

The Reduced Time and Financial Time Limits Alternative may reduce historic resource impacts by reducing the potential for the demolition of potentially significant historic resources as a result of Agency redevelopment activities within the Constituent Project Area(s). This alternative would likely not avoid significant air quality, greenhouse gas, and noise impacts because the severity of these impacts is driven primarily by reasonably foreseeable projects and projected growth. It appears that this alternative would not substantially lessen the majority of the significant effects of the Project. Therefore, this alternative has been eliminated from detailed consideration in the Draft SEIR because it does not meet the Project objectives.

Other Entity or Entities Alternative

This alternative would result in another public or private entity or entities, other than the Agency, taking over part or the whole function of the Agency within the Project Area to effectuate the objectives of the Project. There are no plans for

such a takeover, nor is there a source of funding for that entity at this time. Therefore, this alternative is speculative and does not need to be considered in this Draft SEIR.

Alternatives Previously Considered in the 1998 EIR

State CEQA Guidelines Section 15162 provides that if new information becomes available that was not known and could not have been known when the prior EIR was certified and it indicates that one or more of the alternatives dismissed as infeasible at that time would potentially be feasible, then the SEIR must consider that alternative again.

The following alternatives were analyzed in the 1998 EIR:

- **No-Project Alternative**—Under this alternative, the existing Constituent Project Areas would not be financially merged, the time limits would not be extended, and the Fulton and South Van Ness Industrial Constituent Project Areas would not be formed.
- **Merger of Existing Project Areas Alternative**—Under this alternative, the existing Constituent Project Areas would be financially merged and the time limits would be extended, but Fulton and South Van Ness Industrial Constituent Project Areas would not be formed.
- **Extended Life Alternative**—Under this alternative, the existing Constituent Project Areas would not be financially merged, but the time limits would be extended. The Fulton and South Van Ness Industrial Constituent Project Areas would not be formed.
- **Separate Project Areas Alternative**—Similar to the Extended Life Alternative, the existing Constituent Project Areas would not be financially merged, but the time limits would be extended. However, while the Fulton and South Van Ness Industrial Constituent Project Areas would be formed, they would not be financially merged and would remain separate.
- **Partial Merger Alternative**—Under this alternative, the existing Constituent Project Areas would be financially merged, and the time limits would be extended. The Fulton Constituent Project Area would be formed and merged. Although the South Van Ness Industrial Constituent Project Area would be formed, it would not be merged with the other areas.
- **Modified Development Scale Alternative**—Under this alternative, development projects undertaken would be limited to smaller scale projects, such as infill, small-site acquisition, and rehabilitation.

The Agency rejected these alternatives for a variety of reasons, including:

- the increased cost of developing the area would act as a disincentive for new development and would affect the Agency's ability to remove blight without incentives,
- the Agency would not be able to assemble numerous small parcels into usable units,
- conflicting land uses would remain in the area,
- the Agency would not be able to assist with planned infrastructure improvements,
- the area would remain uncompetitive with other areas of the City, and
- larger scale projects would not be possible.

The 1998 EIR determined that each of these alternatives would not meet some or all of the project objectives and would not substantially lessen the significant effects of the Project. The 1998 EIR also determined that there were no social, technological, or economic impediments, but that social and economic benefits would likely not be realized. There is no new information that indicates that circumstances have changed since 1998.

Alternative Further Considered

The No-Project Alternative definition and analysis are presented below.

No-Project Alternative

After preliminarily considering and then rejecting three alternatives (see "Alternatives Considered and Withdrawn," above), the one alternative identified and considered further by the Agency and City in this Draft SEIR was the No-Project Alternative. The Lead Agency determined that, in compliance with State CEQA Guidelines Section 15126.6(e), the No-Project Alternative is the only alternative that must be examined.

Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a "no project" alternative. This no-project analysis must discuss the existing condition as well as what would be reasonably expected to occur in the foreseeable future if the Project were not approved. Since the Project is the amendment (or revision) of nine existing redevelopment plans (Constituent Redevelopment Plans), Section 15126.6(e)(3)(A) of the State CEQA Guidelines is directly applicable to the Project:

When a project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the "no project" alternative will be the

continuation of the existing plan, policy, or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

If the Project were not approved, the Constituent Redevelopment Plans would not be amended and the expiration dates for seven of the nine redevelopment plans would not be extended and would eventually lapse; therefore, the Agency would ultimately not be able to undertake redevelopment activities in the Project Area after July 6, 2029 (the expiration date for the Fulton and South Van Ness Industrial Constituent Project Areas), rather than after January 28, 2048 (the proposed expiration date for the Chinatown Expanded Constituent Project Area). The current and proposed expiration dates for the nine Constituent Project Areas are shown in Table 5-2.

Table 5-2. Current and Proposed Expiration Dates for the Constituent Project Areas for the Project

Constituent Project Area	Current Expiration Date (No Project)	Proposed Expiration Date (Project)
Mariposa	1/14/12	1/14/22
Central Business District	1/1/12	1/1/22
Convention Center	1/12/25	1/12/35
Jefferson	12/18/27	12/18/37
Chinatown Expanded	1/28/38	1/28/48
West Fresno I	1/1/12	1/1/22
West Fresno II	1/1/12	1/1/22
Fulton	7/6/29	7/6/29
South Van Ness Industrial	7/6/29	7/6/29

Source: Keyser Marston Associates, Inc. 2008.

If the Constituent Redevelopment Plans are not amended, the tax increment for seven of the nine Constituent Redevelopment Plans would not be increased, the time limits to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Project Areas would not be increased, the time limits to receive the tax increment and repay bonded indebtedness for seven of the nine Constituent Redevelopment Plans would not be increased, and the time limits for the Agency’s authority to use eminent domain would not be increased (see Chapter 2, Project Description, for specifics about proposed eminent domain time limit changes).

If the Constituent Redevelopment Plans are not amended, the language to amend seven of the nine Constituent Redevelopment Plans, to be consistent with the General Plan and future updates and any applicable specific or community plans, would not be incorporated.

If the Constituent Redevelopment Plans are not amended, existing historic resource mitigation would not be augmented.

Analysis of the No-Project Alternative

In accordance with the State CEQA Guidelines Section 15126.6(d), the discussion of the environmental impacts of the alternatives may be less detailed than the discussion of the impacts of the Project. An analysis comparing the impacts of the No-Project Alternative with those of the Project is provided below.

It is important to note for the following No-Project Alternative analysis that the absence of the Project does not preclude future development in the Project Area. In that alternative, the Agency would not assist in facilitating that future development. Future development could still occur in the Project Area subject to goals, policies, and objectives in the General Plan and other applicable plans; conditions could be placed on future development by the City; compliance with CEQA would need to occur; and any other requirements applicable to the Project, other than mitigation developed specifically for the Project in this SEIR, would also be applicable to future development under the No-Project Alternative.

It is also important to note that the Project would not directly result in environmental impacts. The Project would increase time and financial limits within the Project Area to assist the Agency in continuing its efforts pertaining to blight reduction, amend language found within applicable Constituent Redevelopment Plans to be consistent with current General Plan and future General Plan updates and any applicable specific or community plans, and augment existing historic resource mitigation. The Project would not result in project-level development, but, rather, would programmatically facilitate possible future development beyond the current time limits.

Aesthetics

Like the Project, the No-Project Alternative would not have an effect on a scenic vista or substantially damage scenic resources near a state scenic highway because the Project Area does not contain scenic vistas and is not adjacent to or near any designated or eligible state scenic highway. Also like the Project, future light generated by this alternative would be typical of urban development and

designed in accordance with existing development standards. However, the No-Project Alternative could result in greater degradation of the existing visual character of the Project Area and surroundings because it eliminates incentives for redevelopment in order to prevent of the spread of blight and deterioration throughout the Project Area.

It is anticipated that the No-Project Alternative would have a *greater impact* on aesthetics than the Project.

Agricultural Resources

Like the Project, the No-Project Alternative would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; impact lands covered by a Williamson Contract; or involve other changes that could result in conversion of farmland to non-agricultural use. No portion of the Project Area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the FMMP, or is under a Williamson Act Contract.

The No-Project Alternative would have the *same impact* on agricultural resources as the Project.

Air Quality

The Project would not result in a new or more severe impact that would conflict with or obstruct implementation of the applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people than what was disclosed in the 1998 EIR. The No-Project Alternative would also not result in the aforementioned impacts. Future development under this alternative would need to consistent with the General Plan or mitigation would need to be developed to ensure that future development is consistent with the Air Quality Attainment Plan. Like the Project, sensitive receptors would be accounted for during the discretionary review process under this alternative and mitigation would be placed, if necessary, if said future development was not consistent with the General Plan, which has accounted for sensitive receptors. Like the Project, this alternative would generate odors that are common to urban areas and, if necessary, future development would be required to obtain a conditional use permit.

This SEIR concluded, like the 1998 EIR, that the Project would result in cumulatively considerable air quality impacts. This SEIR also concluded that the Project would result in cumulatively considerable greenhouse gas impacts. The No-Project Alternative would also result in significant air quality and greenhouse gas impacts because these impacts are driven primarily by reasonably foreseeable

projects and projected growth. Existing point and non-point sources would still exist under the No-Project Alternative. Although the Project facilitates the potential for future development through incentives, this does not mean that future development would not occur under the No Project Alternative simply because the Agency is no longer allowed to use incentives for redevelopment. Development is allowable and encouraged in the Project Area under the General Plan and other applicable plans, and development with or without Agency involvement would result in air quality and greenhouse gas impacts.

It is speculative to attempt to quantify possible future development in the Project Area with or without Agency involvement and therefore, it is assumed that the No-Project Alternative would have the *same impact* on air quality as the Project.

Biological Resources

Like the Project, the No-Project Alternative would not significantly impact special-status species; affect riparian habitat, other sensitive natural communities, or wetlands; interfere with wildlife movement or impede the use of nursery sites; conflict with local biological resources policies or ordinance; or conflict with an adopted conservation plan. There is no suitable habitat for special-status species, no rivers or wetland areas in the Project Area, and urban development within and surrounding the Project Area preclude wildlife movement and nursery sites. The Project Area is not subject to an adopted conservation plan.

The No-Project Alternative would have the *same impact* on biological resources as the Project.

Cultural Resources

Like the Project, the No-Project Alternative would not directly or indirectly destroy a unique paleontological resource or geologic feature, or knowingly disturb any human remains. The General Plan has mitigation in place for discovery of previously unknown paleontological resources or discovered human remains that future development as a result of the No-Project Alternative would have to follow. There are no unique geologic features in the Project Area.

As discussed in this Draft SEIR, there are potential historic and archaeological resources within the Project Area. To account for these resources, the Project includes augmented historic mitigation that builds upon Mitigation Measure 3.15-5 of the 1998 EIR to include not only an intensive-level historic building survey of the South Van Ness Industrial, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas, but also a Phase I archaeological survey for these Constituent Project Areas in order to provide context.

The No-Project Alternative would not provide this context for future development. The No-Project Alternative would also not provide future proponents with an explicit protocol to federal and state standards for the consideration of cultural resources to build upon the context developed by the surveys, if applicable. Future development in the Project Area under the No-Project Alternative would also have to comply with CEQA and state and federal standards for cultural resources evaluation, but the context provided by Project mitigation to strengthen subsequent evaluations would not exist under the No-Project Alternative.

Because the No-Project Alternative would not result in the development of context for the Project Area by the performance of historic and archaeological surveys proposed by the Project for the South Van Ness Industrial, Central Business District, Convention Center, Chinatown Expanded, West Fresno I, and Fulton Constituent Project Areas, those surveys would tend to be less effective in recognizing historical significance in some cases. As a result, this alternative would have a slightly *greater impact* on cultural resources than the Project.

Geology and Soils

Like the Project, the No-Project Alternative would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project; be located on expansive soil; or have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. There are no known earthquake fault zones as defined by the Alquist-Priolo Act in the Project Area and, similar to the Project, seismic related impacts would be mitigated by compliance with the Uniform Building Code and the California Building Code under this alternative. Like the Project, seismic-related ground failure and found unstable or expansive soils would be mitigated by incorporating recommendations from the required preliminary soils report into future development design as required by City. The Project Area is not located in an area prone to landslides. Future development under this alternative would be required to implement a SWPPP for construction and landscaping and stormwater conveyance structures, if necessary, for operations to ensure that future development would not result in substantial soil erosion in compliance with City requirements. Septic or alternative wastewater disposal systems are not allowed in the Project Area and, like the Project, future development under this alternative would have to link to the existing sewer system.

The No-Project Alternative would have the *same impact* on geology and soils as the Project.

Hazards and Hazardous Materials

Like the Project, the No-Project Alternative would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials; emit hazardous emissions or involving handling of hazardous materials within 0.25 mile of a school; be located on a hazardous material site pursuant to Government Code Section 65962.5; be located within an airport land use area or vicinity of a private airstrip; impair implementation of an emergency response or evacuation plan; or expose people or structures to wildland fires. Like the Project, the routine transport, use, or disposal of hazardous materials in the Project Area under this alternative would have to comply with U.S. Code and California Health and Safety Code under the direct oversight of the Fresno Fire Department and Fresno County Health Department. Like the Project, this future development under this alternative would be required to develop a business response plan and, if necessary, a Risk Management and Prevention Program. Similar to the Project, certain future development under this alternative would also have to obtain a CUP that would place conditions to ensure public health and safety. Clean up of accidental releases of hazardous materials would also have to conform to federal, state, and local requirements under this alternative.

Future development that uses hazardous materials within 0.25 mile of a school would also have to conform to federal, state, and local requirements, and would be required to develop a business response plan and, if necessary, a Risk Management and Prevention Program under this alternative. There are a number of sites pursuant to Government Code Section 65962.5 within the Project Area, but use of these sites under this alternative would also be subject to remediation governed by the Department of Toxic Substance Control and would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review.

About 45 acres of the Project Area is within the *Fresno-Chandler Downtown Airport Master and Environs Specific Plan* (Airport Plan), but future development under this alternative would also be subject to requirements of the Airport Plan. The Project Area is not located within the vicinity of a private airstrip. Like the Project, future development under this alternative would be required to comply with applicable emergency response and evacuation plans. The Project Area is surrounded by urban development and therefore is not located in an area susceptible to wildland fire.

The No-Project Alternative would have the *same impact* on hazards and hazardous materials as the Project.

Hydrology and Water Quality

Like the Project, the No-Project Alternative would not violate any water quality standards or waste discharge requirements; substantially alter the existing drainage pattern of the site or area that would result in substantial erosion, siltation, and/or flooding on or off site; create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; otherwise substantially degrade water quality; place housing within a 100-year flood hazard area; place within a 100-year flood hazard area structures that would impede or redirect floodflows; expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or contribute to inundation by seiche, tsunami, or mudflow. Like the Project, future development under this alternative would be required to implement a SWPPP for construction and would have to comply with City and Fresno Metropolitan Flood Control District grading and drainage standards in order to comply with requirements of the NPDES permit (NPDES No. CA0083500) and Waste Discharge Requirements (WDR) order (Order No. 5-01-048) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB) for stormwater conveyance flows in Fresno County to ensure water quality and that future development does not result in erosion, siltation, or flooding. Portions of the Project Area are within the 100-year floodplain and, unlike the Project, these areas could be designated/zoned for residential. However, structures (including residences) placed within the 100-year floodplain would be required to be elevated above flood levels, and the City and the Fresno Metropolitan Flood Control District would require concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system. No surface water body traverses the Project Area, and the area is not within a dam failure flood inundation zone. The Project Area is not located near any significantly sized enclosed body of water or coastal area and is, therefore, not susceptible to a seiche or tsunami. The site is not located at the foot of any significant topographical feature with the potential for mudflow.

This SEIR concluded that the Project would not result in significant groundwater impacts because reasonably foreseeable future development would be in compliance with the Fresno UWMP. Future development that may not be in compliance with the Fresno UWMP would be subject to site plan review to be issued a special permit in accordance with City Municipal Code Sections 12-405 and 12-406, which could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance of a special permit. Future development as a result of the No-Project Alternative would also be subject to site plan review

and water conservation conditions could also be placed on future development, if warranted.

The No-Project Alternative would have the *same impact* on hydrology and water quality as the Project.

Land Use and Planning

Like the Project, the No-Project Alternative would not physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan. The Project Area is surrounded by urban development and would be urban infill and therefore does not have the capacity to divide a community. The Project Area is not subject to a habitat conservation plan or natural community conservation plan. Unlike the Project, future development under this alternative may not be compliant with the General Plan land use designations or City zoning and therefore may conflict with an applicable land use plan, policy, or regulation. However, future development under this alternative may request a General Plan Amendment, zone change, and/or other land use policy change during the discretionary approval process to be compliant with applicable land use plans, policies, or regulations.

The No-Project Alternative would have the *same impact* on land use and planning as the Project.

Mineral Resources

Like the Project, the No-Project Alternative would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally important mineral resource recovery site. Mineral resource land use types are not found in the Project Area, and no portion of the Project Area is designated as a mineral resource recovery site in the general Plan or any other applicable plan.

The No-Project Alternative would have the *same impact* on mineral resources as the Project.

Noise

Like the Project, the No-Project Alternative would not expose persons to or generate excessive groundborne vibration or groundborne noise levels or be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels. Like the Project, future development

under this alternative would have to comply with applicable City standards regarding vibration, and the Project Area is not located within the vicinity of a private airstrip.

The SEIR concluded that impacts to facilities constructed near freeways and railroads would be significant in the Project Area. Forecast traffic levels for 2025 would exceed the 60 dBA CNEL significance threshold throughout much of the Project Area. The General Plan MEIR concluded that Year 2025 traffic noise levels adjacent to some freeways and arterials within the Project Area would exceed 70 dBA CNEL, which is the exterior noise level above which most standard noise abatement measures would be insufficient to reduce interior and exterior noise levels to satisfy the allowable noise limits specified by the Noise Element. These impacts are cumulative and the result of traffic noise associated with projected population growth and would occur with or without the Project. The SEIR also concluded that future operations at the four nearby airports (Fresno-Chandler Downtown Airport; Fresno Yosemite International Airport; and Sierra Sky Park) would not cause excessive noise within the Project Area.

The No-Project Alternative would have the *same impact* on noise as the Project.

Population and Housing

Like the Project, the No-Project Alternative would not likely induce substantial population growth in the Project Area because, like the Project, the area is finite and can only be increased to a extent, which is likely not significant in comparison to the population of the City. Also, future development under this alternative would typically be consistent with the General Plan and therefore, consistent with future growth projections. This alternative would also not likely displace a substantial number of housing units and people because future development tends to be smaller and would likely displace less houses and people. The Project is required by CRL to replace displaced low- and moderate-income housing on a one-to-one basis, and 20% of the tax increment funds must go towards low- and moderate income housing. The Project also affords displaced residents with relocation assistance as is required by CRL and Agency procedure for the Project.

The No-Project Alternative would likely have the *same impact* on population and housing as the Project.

Public Services

Like the Project, future development under the No-Project Alternative would increase the demand for fire protection, police protection, schools, parks, and other public facilities, but would be subject to subject to the Citywide Fire

Facilities Fee, required to adhere to current and future General Plan policies and objectives related to police protection services designed to maintain acceptable service ratios and response times, required to pay the affected school district's developer fees in accordance with Section 17620 of the State Education Code, provide park and recreational areas within the Project Area in accordance with the City's Park Master Plan, and all other required public services fees would have to be paid.

The No-Project Alternative would have the *same impact* on public services as the Project.

Recreation

Like the Project, the No-Project Alternative would not 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; include recreational facilities; or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The No-Project Alternative would have provide park and recreational areas within the Project Area in accordance with the City's Park Master Plan.

The No-Project Alternative would have the *same impact* on recreation as the Project.

Transportation and Traffic

Like the Project, short-term construction-related traffic effects of future development as a result of the No-Project Alternative would be less than significant by complying with established City and Agency procedures that call for the coordination of construction plans, temporary street closures, and detour plans with affected agencies as well as notification of users. Long-term traffic impacts would be reduced due to implementing improvements in conformance with the current General Plan and applicable community plans or other future plans, and paid for by street improvements required for property development permits, locally-generated general fund tax revenues (including redevelopment tax increment funds), locally established transportation fund taxes, and state and federal gas tax funds. Like the Project, future development within the Project Area would result in a significant and unavoidable cumulative traffic impact due to the decline in level of service (LOS) at several freeway interchanges that serve the Project. Like the Project, 45 acres under this alternative is within the Airport Plan area, but future development would be subject to requirements of the Airport Plan. Like the Project, future development under the No-Project Alternative would be required to comply with Caltrans and/or City road design

standards, which would ensure that hazardous design features would not occur. Future development under this alternative would also remove existing hazardous road conditions in order to be compliant with these standards. The Project Area is urban and does not include adjacent land uses (e.g., farmland) that would be incompatible with urban traffic conditions. Like the Project, future development under this alternative would be required to comply with City of Fresno Fire Department standards for adequate emergency access. Future development under this alternative would have to comply with the current General Plan and future updates, applicable community plans or other future adopted plans, and City design standards to provide adequate parking and support alternative transportation.

The No-Project Alternative would have the *same impact* on transportation and traffic as the Project.

Utilities and Service Systems

Like the Project, wastewater water under this alternative would be treated at the Fresno/Clovis Regional Water Reclamation Facility in accordance with specific effluent water quality requirements specified in the CVRWQCB's Tulare Lake Basin Plan, the WDR order (Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Water Resources Control Board, May 2, 2006), and in compliance with CCR Title 22 requirements for recycled water quality. This alternative would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City. Future development under this alternative would have to comply with the Zero Waste Strategic Action Plan and therefore would allow future development to be served by a landfill with sufficient permitted capacity to accommodate future solid waste disposal needs, and future development would have to comply with all local, state, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal.

This SEIR concluded that the Project would have sufficient water supplies because most future development would be in compliance with the Fresno UWMP. Future development that may not be in compliance with the Fresno UWMP would be subject to site plan review to be issued a special permit in accordance with City Municipal Code Sections 12-405 and 12-406, which could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance

of a special permit. Future development as a result of the No-Project Alternative would also be subject to site plan review, and water conservation conditions could also be placed on future development, if warranted.

The SEIR also concluded that the Project could require or result in the construction of new wastewater treatment facilities or expansion of existing facilities (including sewer capital improvements) that were not known and could not have been known at the time of certification of the 1998 EIR, the construction of which may cause significant environmental effects. The SEIR also concluded that the Project would result in a determination by the wastewater treatment provider that 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. Like the Project, future development under this alternative within the Project Area would be required to obtain a sewer permit from the City Director of Development to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development under this alternative would also have to pay a sewer service charge in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established where sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the POTW, including WWTP expansions and new construction.

The No-Project Alternative would have the *same impact* on public services and utilities as the Project.

Relationship to Project Objectives and Feasibility

Depending on future development and improvements as a result of the No-Project Alternative, this alternative may fulfill the project objectives of:

- eliminating and preventing the spread of blight and deterioration throughout the Project Area, but this depends on the vitality of the private market and private reinvestment, which has been historically low without incentives provided by the Agency (Redevelopment Agency of the City of Fresno 1998);
- expanding and improving the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households;
- eliminating or ameliorating of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies adversely affecting the Project Area. However, without the ability to fund comprehensive infrastructure and to acquire necessary lands, the private sector may be less effective at this than the Agency.

However, this alternative does not fulfill the project objectives of promoting new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity because without the Agency's involvement, there would be no formal promoting entity under this alternative.

This alternative also does not fully meet the project objective of retaining and expanding existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area. Depending on the type of future development, the No-Project Alternative may help retain and expand existing businesses where possible by means of redevelopment and rehabilitation activities, but without the Agency, there would be no formal entity to encourage and assist in the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.

The No-Project Alternative is feasible. The Project Area is suitable and economically viable for this alternative, there is available infrastructure, and future development would likely be consistent with the General Plan

Environmentally Superior Alternative

The Project is the environmentally superior alternative because no other alternative analyzed in this chapter satisfies all or any of the basic project objectives and/or does not avoid or substantially reduce any significant environmental effects in accordance with CEQA Guidelines Section 15126.6(c). The No-Project Alternative would likely result in greater aesthetic and cultural resources impacts than the Project.

Chapter 6

Growth-Inducing Impacts

Chapter 6

Growth-Inducing Impacts

Introduction

The State CEQA Guidelines require an EIR (including an SEIR) to discuss how a project could directly or indirectly foster economic or population growth—or the construction of additional housing—in the surrounding environment. This discussion must also include any ways in which the project would remove obstacles to population growth or trigger the construction of new community service facilities that could cause significant impacts (State CEQA Guidelines Section 15126.2).

The analysis presented below focuses on whether the Project would stimulate growth in the surrounding area. The growth-inducing impact reflects changes to the existing physical environment that would occur as a result of the Project.

Removal of Obstacles to Growth

The 1998 EIR concluded that future development could result in small population gains in the Project Area due to the construction of new housing units (Redevelopment Agency of the City of Fresno 1998). However, the effects on the population would be generally positive and not significant because housing programs within the Project Area would assist the City in meeting its housing needs and, in compliance with CRL, provide low- and moderate-income housing (Redevelopment Agency of the City of Fresno 1998). Future development may also bring additional people into the greater Fresno area as a result of job opportunities created by future development.

Future development within the Project Area is expected to be consistent with population forecasts adopted by the Council of Fresno County Governments to accommodate Fresno's fair share of the regional growth forecast (City of Fresno 2002). The Project is already accounted for in the General Plan and growth projections for the area. In addition, the project description requires the Project to remain consistent with the current General Plan and future updates.

The Project would not induce population growth, nor would it result in the extension of infrastructure (e.g., roads, potable water lines, sewer lines, etc.) that would facilitate future development in nonurban areas, such as open space on the

fringes of the City. The Project Area is surrounded by existing urban areas where infrastructure is already in place. While some infrastructure would need to be rehabilitated or replaced due to deterioration or capacity needs, General Plan population forecasts would be accommodated.

The 1998 EIR concluded that growth in the Project Area would be consistent with the General Plan population forecasts and that future development would not adversely affect the City's ability to accommodate future growth. No substantive changes have occurred since certification of the 1998 EIR to indicate that the Project would result in new or more severe direct or indirect impacts as a result of growth.

Chapter 7

Significant Irreversible Changes

Chapter 7

Significant Irreversible Changes

Pursuant to Section 15126.2(c) of the State CEQA Guidelines, an EIR (including an SEIR) must consider any significant irreversible environmental changes that would be caused by the Project, should it be implemented. Section 15126.2(c) reads as follows:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to ensure that such current consumption is justified.

The Project would increase time and financial limits within the Project Area to assist the Agency in continuing its efforts pertaining to blight reduction, amend language found within the applicable Constituent Redevelopment Plans to be consistent with current General Plan and future General Plan updates and any applicable specific or community plans, and augment existing historic resource mitigation. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Therefore, the Project would not directly result in significant irreversible environmental changes.

Indirectly, the Project would facilitate future development, which would require the use of nonrenewable resources—such as metal alloys and aggregate resources—for physical construction. In addition, limited amounts of fuel would be used in the construction phase of future development. Operation of the Project would require the use of nonrenewable resources, such as fuel, which would be consumed by both residents and employees while traveling to or from the Project Area or making deliveries. Depending on the type of future development, the use of nonrenewable resources could, for example, be associated with fabrication or assembly activities.

The Project would not significantly increase the consumption of nonrenewable resources and would not significantly commit future generations to the unnecessary exploitation of nonrenewable resources. While various natural resources, such as construction materials and energy resources, would, as a result

of the Project, be used for future development, the use of these resources, relative to similar urban development in the region, would not result in substantial resource depletion.

The 1998 EIR does not discuss significant irreversible environmental changes. However, the 1998 conditions are similar to current conditions in that construction and operations in 1998 required the use of nonrenewable resources and fuels but did not significantly increase the consumption of nonrenewable resources, commit future generations to the unnecessary exploitation of nonrenewable resources, or result in substantial resource depletion. Therefore, the project would not result in a new or more severe impact as a result of significant irreversible changes relative to the 1998 EIR.

Chapter 8

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Chapter 9

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Chapter 10

Acronyms and Abbreviations

Chapter 10

Acronyms and Abbreviations

$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
1998 EIR	Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009, June 1998
AB	Assembly Bill
ADI	Area of Direct Impact
ADT	average daily traffic
af/yr	acre-feet per year
Agency	Redevelopment Agency of the City of Fresno
AIA	Air Impact Assessment
Airport Plan	Fresno-Chandler Downtown Airport Master and Environs Specific Plan
ANPR	Advance Notice of Proposed Rulemaking
APCD	Air Pollution Control District
APE	Area of Potential Effects
AQAP	Air Quality Attainment Plan
ARMR	Archaeological Resource Management Reports
BAU	business as usual conditions
bgs	below ground surface
BPS	Best Performance Standards
BTU	British thermal units
C	Celsius
C_2F_6	hexafluoroethane
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CACP	Central Area Community Plan

CAFE	Corporate Average Fuel Economy
California Register or CRHR	California Register of Historic Resources
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officer's Association
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CF ₄	tetrafluoromethane
CFR	Code of Federal Regulations
CH ₄	methane
City	City of Fresno
CLG	Certified Local Government
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalents
CRL	California Redevelopment Law
CUP	Conditional Use Permit
CVRWQCB	Central Valley Regional Water Quality Control Board
dB	decibels
dBA	A-weighted sound level
DMC	development mitigation contract
DMMs	demand management measures
DNL or L _{dn}	Day-Night Average Sound Level
Draft SEIR	Draft Subsequent Environmental Impact Report
DWR	Department of Water Resources
EISA	Energy Independence and Security Act of 2007
EPA	U.S. Environmental Protection Agency
F	Fahrenheit
FAX	Fresno Area Express
FID	Fresno Irrigation District
FMFCD	Fresno Metropolitan Flood Control District

FOG	Fats, Oils, and Grease
Fresno COG	Council of Fresno County Governments
Fresno UWMP	City of Fresno Urban Water Management Plan
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
General Plan	2025 City of Fresno General Plan
General Plan MEIR	General Plan Master Environmental Impact Report
GHG	greenhouse gas
GIS	geographical information system
GMP	Fresno Area Regional Groundwater Management Plan
GPR	Ground Penetrating Radar
GWP	global warming potential
H ₂ O	water
H ₂ S	hydrogen sulfide
HAPs	Hazardous air pollutants
HFCs	hydroflourocarbons
HFE	hydrofuorinated ethers
HPC	Historic Preservation Commission
HRA	Health Risk Assessment
HUD	Housing and Urban Development
Hz	hertz
IPCC	Inter Governmental Panel on Climate Change
IPMVP	International Performance Measurement and Verification Protocol
IS	Initial Study
IS/NOP	Initial Study/Notice of Preparation
ISR	Indirect Source Rule
LCFS	Low Carbon Fuel Standard
L _{eq}	equivalent sound level
L _{max}	maximum obtainable noise levels
L _{min}	minimum obtainable noise levels
Local Register	Local Register of Historic Resources
LOS	level of service
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program

MMT	million metric tons
MND	mitigated negative declaration
MOs	management objectives
MOU/MOA	memorandum of understanding/ memorandum of agreement
MPOs	metropolitan planning organizations
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
National Register or NRHP	National Register of Historic Places
NF ₃	nitrogen trifluoride
NHPA	National Historic Preservation Act
NO ₂	nitrogen dioxide
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOC	Notice of Completion
NOP	Notice of Preparation
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O ₃	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OHP	California Office of Historic Preservation
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PFCs	perfluorocarbons
PM10	particulate matter less than 10 microns in diameter
PM10 Maintenance Plan	2007 PM10 Maintenance Plan and Request for Redesignation
PM2.5	particulate matter less than 2.5 microns in diameter
POTW	publicly owned treatment works
ppm	parts per million
PRC	Public Resources Code
Project	Fresno Merger No. 1 Redevelopment Plan Amendments Project
PSD	Prevention of Significant Deterioration

PVC	polyvinyl chloride
RELS	reference exposure levels
RFS	Renewable Fuel Standard
RH	relative humidity
ROGs	reactive organic gases
RTP	Regional Transportation Plan
SB	Senate Bill
SF ₆	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIL	significant impact levels
SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO ₂	sulfur dioxide
SO _x	Sulfur oxide gases
SR	State Route
SSMP	Sewer System Management Plan
SSOs	sanitary sewer overflows
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SWTF	surface water treatment facility
TACs	toxic air contaminants
TDV	time dependant valuation
TOC	total organic carbon
UBC	Uniform Building Code
UNEP	United Nations Environment Program
URFs	unit risk factors
USBR	United States Bureau of Reclamation
USGCRP	United States Global Change Research Program
UWMP	Urban Water Management Plan
UWMP Act	Urban Water Management Planning Act
VERA	Voluntary Emissions Reduction Agreement
VMT	vehicle miles traveled

VOCs	volatile organic compounds
VRP	visibility-reducing particles
WCSMP	Wastewater Collection System Master Plan
WDR	Waste Discharge Requirements for Sanitary Sewer Systems
WMO	World Meteorological Organization
WSA	water supply assessment
WSCP	Water Shortage Contingency Plan
WWTP	wastewater treatment plant

Appendix A
Notice of Preparation/Initial Study

Notice of Preparation

To: Please See Attached Mailing List From: Redevelopment Agency of the City of Fresno
(Agency) (Agency)

(Address) 2344 Tulare Street, Suite 200

(Address) Fresno, CA 93721

Subject: **Notice of Preparation of a Draft Subsequent Environmental Impact Report**

Redevelopment Agency of the City of Fresno and the City of Fresno will be the Co-Lead Agencies and will prepare a subsequent environmental impact report based on the Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, SCH No. 97122009, June 1998, for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study *is* *is not* attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to David Martin at the address shown above. We will need the name for a contact person in your **agency**.

Project Title: Fresno Merger No. 1 Redevelopment Plan Amendments Project

Project Applicant, if any: Redevelopment Agency of the City of Fresno

Date: July 16, 2009

Signature:  _____

Title: David Martin, Project Manager

Telephone: 559/621-7630

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

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Final

**Initial Study for
Fresno Merger No. 1 Redevelopment Plan
Amendments Project**

Prepared for:

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Contact: David Martin
559/621-7630

Prepared by:

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Bakersfield, CA 93309
Contact: Steven Esselman
661/859-1852

July 2009

ICF Jones & Stokes. 2009. Initial Study for Fresno Merger No. 1
Redevelopment Plan Amendments Project. Final. July. (ICF J&S 00337.09.)
Bakersfield, CA. Prepared for: Redevelopment Agency of the City of Fresno.

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Acronyms and Abbreviations

1998 EIR	<i>Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, SCH No. 97122009, June 1998</i>
Agency	Redevelopment Agency of the City of Fresno
Alquist-Priolo Act	Alquist-Priolo Earthquake Fault Zone Act
AQAP	Air Quality Attainment Plan
BMPs	best management practices
CACP	<i>Central Area Community Plan</i>
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CNDDB	California Natural Diversity Database
CNEL	community noise exposure level
CRL	California Redevelopment Law
CSSHS	California State Scenic Highway System
CUP	conditional use permit
CVRWQCB	Central Valley Regional Water Quality Control Board
DTSC	California Department of Toxic Substance Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
Fresno COG	Fresno Council of Governments
General Plan	2025 City of Fresno General Plan

GHG	greenhouse gas
IS	Initial Study
LOS	level of service
MEIR	Master EIR
MMRP	Mitigation Monitoring and Reporting Program
NAHC	Native American Heritage Commission
NOP	Notice of Preparation
NPDES	National Pollution Discharge Elimination System
NWI	National Wetlands Inventory
SJVAB	San Joaquin Valley Air Basin
SJVUAPCD	Southern San Joaquin Valley Unified Air Pollution Control District
SR-168	State Route 168
SR-180	State Route 180
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
UBC	Uniform Building Code
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
WDR	Waste Discharge Requirements

Environmental Checklist

- 1. Project Title:** Fresno Merger No. 1 Redevelopment Plan Amendments Project
- 2. Co-Lead Agencies Names and Addresses:**

Redevelopment Agency of the City of Fresno
2344 Tulare, Suite 200
Fresno, CA 93721

City of Fresno
Attn: Planning & Development
2600 Fresno Street, 3rd Floor
Fresno, CA 93721
- 3. Contact Person and Phone Number:** Mr. David Martin, 559/621-7630
- 4. Project Location:** The proposed amendments to nine Constituent Redevelopment Plans within the Project Area encompass about 1,900 acres within the City of Fresno's central urban core. See Figure 1.
- 5. Project Sponsors' Names and Addresses:** Same as Lead Agencies (see "2. Co-Lead Agencies Names and Addresses" above)
- 6. General Plan Designation:** Commercial; Commercial/Mixed Use Level 1 (Central Area); Commercial/Mixed Use Level 2 (Central Area); Freeway; Industrial/Heavy; Industrial/Light; Open Space; Public Facility; Railroad; Residential (Central Area)
- 7. Zoning:** Single Family Residential District (R-1); Low Density Multiple Family Residential District (R-2); Low Density Multiple Family Residential-Agricultural District (R-2-A); Medium Density Multiple Family Residential District (R-3); High Density Multiple Family Residential District (R-4); Central Trading District (C-4); General Commercial District (C-5); Heavy Commercial District (C-6); Civic Center District (CC); Commercial and Light Manufacturing District (C-M); Administrative and Professional Office District (C-P); Light Manufacturing District (M-1); General Manufacturing District (M-2); Heavy Industrial District (M-3); Open Conservation

District (O); Off-Street Parking District (P)

8. Description of Project:

The Project consists of proposed amendments to nine redevelopment plans within the Redevelopment Agency of the City of Fresno (Agency) Merger No. 1 Redevelopment Project. The Merger No. 1 Redevelopment Project encompasses separate redevelopment project areas (Constituent Project Areas) described below, each of which has its own redevelopment plan (Constituent Redevelopment Plans).¹ The nine Constituent Project Areas are:

- Mariposa,
- Central Business District,
- Convention Center,
- Jefferson,
- Chinatown Expanded,
- West Fresno I,
- West Fresno II,
- Fulton, and
- South Van Ness Industrial.

The separate Constituent Project Areas are collectively referred to as the Project Area. Figure 1 shows the boundaries of each Constituent Project Area. The Project Area is the total of these nine separate Constituent Project Areas. The Project would extend the Agency's ability to acquire property within the Project Area through use of eminent domain; streamline the Constituent Redevelopment Plans to ensure consistency of those plans with the 2025 City of Fresno General Plan (General Plan) and future General Plan updates and other specific or community plans; and amend specific time and financial limits for the Constituent Project Areas as described below. The Project further includes updating of mitigation measures previously adopted in conjunction with the *Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, SCH No. 97122009, June 1998* (City of Fresno Redevelopment Agency 1998) (1998 EIR).

Specifically, the Project consists of the following amendments:

- Increase the tax increment limits for the Central Business District, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, and West Fresno II Constituent Plans.
- Increase the time limit on the effectiveness of the Constituent Redevelopment Plans for all the Constituent Project Areas, except Fulton and South Van Ness Industrial.
- Increase the Agency's time limit to incur indebtedness for the Fulton and South Van Ness Industrial Constituent Redevelopment Plans.
- Increase the time limits to receive tax increment and repay bonded indebtedness for all of

¹ Each Constituent Project Area, and its associated Constituent Redevelopment Plan, is called a Constituent Plan in the *Preliminary Report for the Amendments to the Merger No. 1* (Preliminary Report) (Keyser Marston Associates, Inc. 2008), attached hereto as Appendix A.

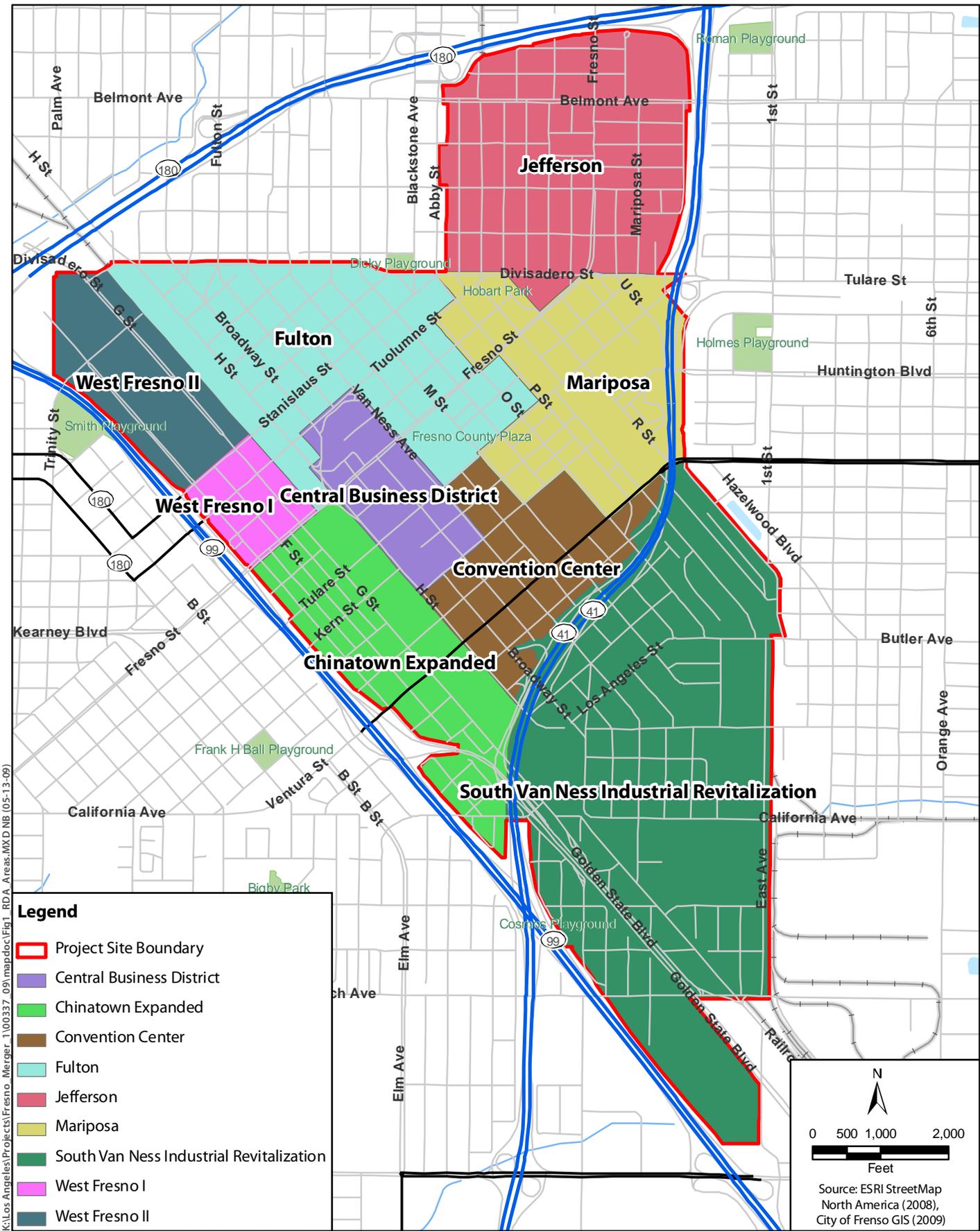


Figure 1
Fresno Merger No. 1 Redevelopment Plan Amendments Project Area

the Constituent Redevelopment Plans, except for Fulton and South Van Ness Industrial Constituent Project Areas.

- Increase the time limit on the Agency’s authority to utilize eminent domain in all of the Constituent Project Areas, except the Agency would not have the authority to acquire, by use of eminent domain, any property on which persons lawfully reside in six of the Constituent Project Areas. These six Constituent Project Areas are: 1) Central Business District, 2) Convention Center, 3) Fulton, 4) Jefferson, 5) Mariposa, and 6) South Van Ness Industrial (see Table 1 for more information). In the Convention Center, Jefferson, and Mariposa Constituent Project Areas, the ability to acquire properties by use of eminent domain would also be limited to specific properties. These specific properties are shown in the Preliminary Report (Keyser Marston Associates, Inc. 2008).
- Amend the language found within the Constituent Redevelopment Plans for the Central Business District, Jefferson, Mariposa, West Fresno I, and West Fresno II, Fulton, and South Van Ness Industrial Constituent Project Areas, to ensure that the Constituent Redevelopment Plans are consistent with the current General Plan and future General Plan updates and any applicable specific or community plans, as the plans may be amended from time to time.
- Replace certain mitigation measures adopted in relation to the 1998 EIR (including Mitigation Measure 3.15-5 for the South Van Ness Industrial Constituent Project Area, which states that the Agency would conduct a Historic Building Survey of this Constituent Project Area by no later than January 1, 2000) with more updated and effective mitigation that would require that developers follow a survey protocol and performance standards list of options that is to be applied within the Project Area on a case-by-case basis during the discretionary approval phase of a proposed development.

The time and debt limits to be extended and/or increased, respectively, are shown in Table 1, which describes existing terms of the Redevelopment Plans and identifies in detail the changes that would be made by the Project.

Table 1. Existing and Proposed Constituent Project Area Time and Financial Limits

Constituent Project Area	Subject	Existing Limit	Proposed Limit
Mariposa – 210 acres (adopted 1969)	Expiration Date	1/14/12	1/14/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/14/22	1/14/32
	Eminent Domain Time Limit	8/6/10	+12 years ^{2,3}

Constituent Project Area	Subject	Existing Limit	Proposed Limit
	Tax Increment Limit	\$50M	\$150M
	Bond Debt Limit	NA	NA
Central Business District – 86 acres (amended 1963)	Expiration Date	1/1/12	1/1/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years ^{2,4}
	Tax Increment Limit Bond Debt Limit	\$16M NA	\$128M NA
Convention Center – 130 acres (adopted 1982)	Expiration Date	1/12/25	1/12/35
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/13/35	1/12/45
	Eminent Domain Limit	8/6/10 11/24/17 ⁶	+12 years ^{2,3,5} No change
	Tax Increment Limit Bond Debt Limit	\$51M \$21M	\$357M No change
Jefferson – 277 acres (adopted 1984)	Expiration Date	12/18/27	12/18/37
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt	12/18/37	12/18/47

Constituent Project Area	Subject	Existing Limit	Proposed Limit
	Repayment		
	Eminent Domain Limit	1/18/09	+12 years ^{2,4}
	Tax Increment Limit	\$235M	\$470M
	Bond Debt Limit	\$99M	No change
Chinatown Expanded – 180 acres (amended 1986)	Expiration Date – Original	1/1/12	1/1/22
	Expiration Date – Expanded	1/28/28	1/28/38
	Debt Establishment Limit – Original	Eliminated ¹	NA
	Debt Establishment Limit - Expanded	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment – Original	1/1/22	1/1/32
	Limit to Receive Tax Increment/Debt Repayment – Expanded	1/28/38	1/28/48
	Eminent Domain Limit – Original	8/6/10	+12 years
	Eminent Domain Limit - Expanded	8/6/10	+12 years
	Tax Increment Limit – Original & Expanded	\$32M	\$128M
	Bond Debt Limit – Original	NA	NA
Bond Debt Limit - Expanded	\$16M	No change	
West Fresno I – 46 acres (adopted 1963)	Expiration Date	1/1/12	1/1/22

Constituent Project Area	Subject	Existing Limit	Proposed Limit
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	1/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years
	Tax Increment Limit	\$9M	\$27M
	Bond Debt Limit	NA	NA
West Fresno II – 107 acres (adopted 1963)	Expiration Date	1/1/12	1/1/22
	Debt Establishment Limit	Eliminated ¹	NA
	Limit to Receive Tax Increment/Debt Repayment	01/1/22	1/1/32
	Eminent Domain Limit	8/6/10	+12 years
	Tax Increment Limit	\$60M	\$120M
Fulton – 273 acres (adopted 1998)	Bond Debt Limit	NA	NA
	Expiration Date	7/6/29	No change
	Debt Establishment Limit	7/6/18	7/6/28
	Limit to Receive Tax Increment/Debt Repayment	7/6/44	No change
	Eminent Domain Limit	8/6/10	+12 years ⁴
	Tax Increment Limit	Not required ⁷	NA
	Bond Debt Limit	\$32M	No change

Constituent Project Area	Subject	Existing Limit	Proposed Limit
South Van Ness Industrial – 594 acres (adopted 1998)	Expiration Date	7/6/29	No change
	Debt Establishment Limit	7/6/18	7/6/28
	Limit to Receive Tax Increment/Debt Repayment	7/6/44	No change
	Eminent Domain Limit	8/6/10	+12 years ⁴
	Tax Increment Limit	Not required ⁷	NA
	Bond Debt Limit	\$111M	No change

Source: Keyser Marston Associates, Inc. 2008.

NA = Not Applicable

¹ "Eliminate" is a term used in California Redevelopment Law (CRL) (CRL Section 33333.6(c)(2)(B)), that allows the City Council to amend redevelopment plans originally adopted before January 1, 1994, to eliminate the deadline on establishment of loans, advances, and indebtedness for the project areas that qualify for this type of action. Council Ordinance 2008-47 amended all of the Constituent Redevelopment Plans, except Fulton and South Van Ness Industrial, to eliminate this requirement.

² New time limit will be 12 years from effective date of ordinance adopting the Amendment.

³ Applicable to specific properties only. Legally-occupied housing units will not be subject to acquisition by eminent domain.

⁴ Legally-occupied housing units will not be subject to acquisition by eminent domain in the entire Constituent Project Area. See Proposed Acquisition Map in Appendix A for more details.

⁵ 12-year extension for specific properties only. See Proposed Acquisition Map in Appendix A for more details.

⁶ Applicable to specific properties where the 12-year extension was adopted in 2005. See Proposed Acquisition Map in Appendix A for more details.

⁷ Prior to January 1, 1994, CRL Section 33333.2(1) required that redevelopment plans contain, "a limitation on the number of dollars of taxes which may be divided and allocated to the redevelopment agency pursuant to the plan. Taxes shall not be divided and allocated to the redevelopment agency beyond that limit." This is commonly referred to as a Tax Increment Limit. Major changes to the redevelopment process were adopted in 1993 (AB 1290, Chapter 942 of the Statutes of 1993) which included numerous changes to the requirements for new redevelopment plans. The requirement for a Tax Increment Limit was eliminated for new project areas adopted or added after January 1, 1994. Therefore, the Fulton and South Van Ness Industrial Constituent Project Areas, adopted in 1998, are not required to contain this provision, while the older Constituent Project Areas do contain the provision.

Project Purpose and Objectives

As described in the 1998 EIR, the Agency has the following existing objectives for undertaking redevelopment activities within the Project Area:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area.
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
- The expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households.
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies adversely affecting the Project Area.

The primary objective of the Project is to allow the Agency to continue implementing a comprehensive economic development strategy to alleviate the conditions of "blight areas"² affecting the Project Area. The provisions of the California Redevelopment Law (Health and Safety Code Section 33000, et seq.) relative to tax increment limits, the time limits on the effectiveness of a redevelopment plan, and the use of eminent domain require the Agency to take the actions described above in order to continue undertaking effective redevelopment activities within the Project Area. The proposed updated mitigation measures would also allow the Agency to undertake its activities while providing for more effective consideration and protection of historic buildings.

Preparation of a Subsequent EIR

The Notice of Preparation (NOP) attached to this Initial Study (IS) provides notice that the Agency will be preparing a Subsequent EIR for the Project, based on the 1998 EIR. Section 15162 of the CEQA Guidelines states that a Subsequent EIR will be prepared when any of the following situations exist, based on substantial evidence in light of the whole record:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity

² As defined by Health & Safety Code Section 33030 (effective January 1, 2008).

of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.***

Consistent with CEQA Guidelines 15162, the Subsequent EIR to be prepared for this Project will be based on the 1998 EIR. The Subsequent EIR will analyze the changes to the Project as set forth in the 1998 EIR to determine whether they would lead to new or more severe significant effects relative to the effects disclosed in the 1998 EIR. It will also examine whether the changes to the circumstances under which the Project is undertaken since the certification of the 1998 EIR would result in new significant environmental effects or substantial increase in the severity of previously identified significant effects.

Since the adoption of the 1998 EIR, there are new regulations, local standards, and statutes in effect as well as new circumstances that result in new information.

- New information is now available about greenhouse gas (GHG) emissions that will be considered. Since the certification of the 1998 EIR, Assembly Bill 32 of 2006 and Senate Bill 97 of 2007 have been enacted, requiring that public agencies consider the indirect and direct environmental effects of GHG emission from their projects and mitigate significant GHG impacts to the extent feasible.
- The Project may result in a new and more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.
- There are proposed historic districts (L Street District, St. John's Cathedral District, Santa Fe Warehouse District, Bellevue Bungalow District, East Madison Historic District, and North Park Historic District) within the Project Area that have been proposed as such since certification of the 1998 EIR. There are also likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources.
- There appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR.
- The City's Urban Water Management Plan was updated in 2008.
- The City's recently adopted a Sewer System Management Plan, which was not considered in the 1998 EIR.

The Subsequent EIR will determine whether the Project would result in new significant

environmental effects or substantial increase in the severity of previously identified significant effects as a result of these new laws, regulations, and standards.

Upon its release for public review and comment, the draft Subsequent EIR will be given the same notice as is required of all EIRs. When the time comes to consider approving the Project, the Lead Agencies will consider the Subsequent EIR, and must make a finding for each significant effect identified in the Subsequent EIR.

Intended Uses of the Subsequent EIR

The Subsequent EIR will be used by the Project Area Committee for Chinatown Expanded Redevelopment Plan, City Housing and Community Development Commission, City Planning Commission, City Redevelopment Agency, and City Council when considering approval of the Project described above.

Citations

In accordance with CEQA Guidelines Section 15148, this IS cites applicable analyses that are current and valid. Please see the environmental factor sections of the IS below for cites. The complete cites may be found in “Citations and References” at the end of the IS.

9. Surrounding Land Uses and Setting:

The Project Area is within the City’s central urban core and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. Figure 2 shows the current land use designations within and surrounding the Project Area.

10. Other Public Agencies whose Approval Is Required:

- Project Area Committee for Chinatown Expanded Redevelopment Plan—recommend adoption of Amendments related to the Chinatown Expanded Redevelopment Plan.
- City Housing and Community Development Commission—recommend adoption of Amendments, Subsequent EIR, and Mitigation Monitoring and Reporting Program (MMRP) to City Council.
- City Planning Commission—recommend adoption of Amendments, Subsequent EIR, and MMRP to City Council.
- City Redevelopment Agency Board—adopt Amendments, Subsequent EIR, and MMRP.
- City Council—adopt Amendments, Subsequent EIR, and MMRP.

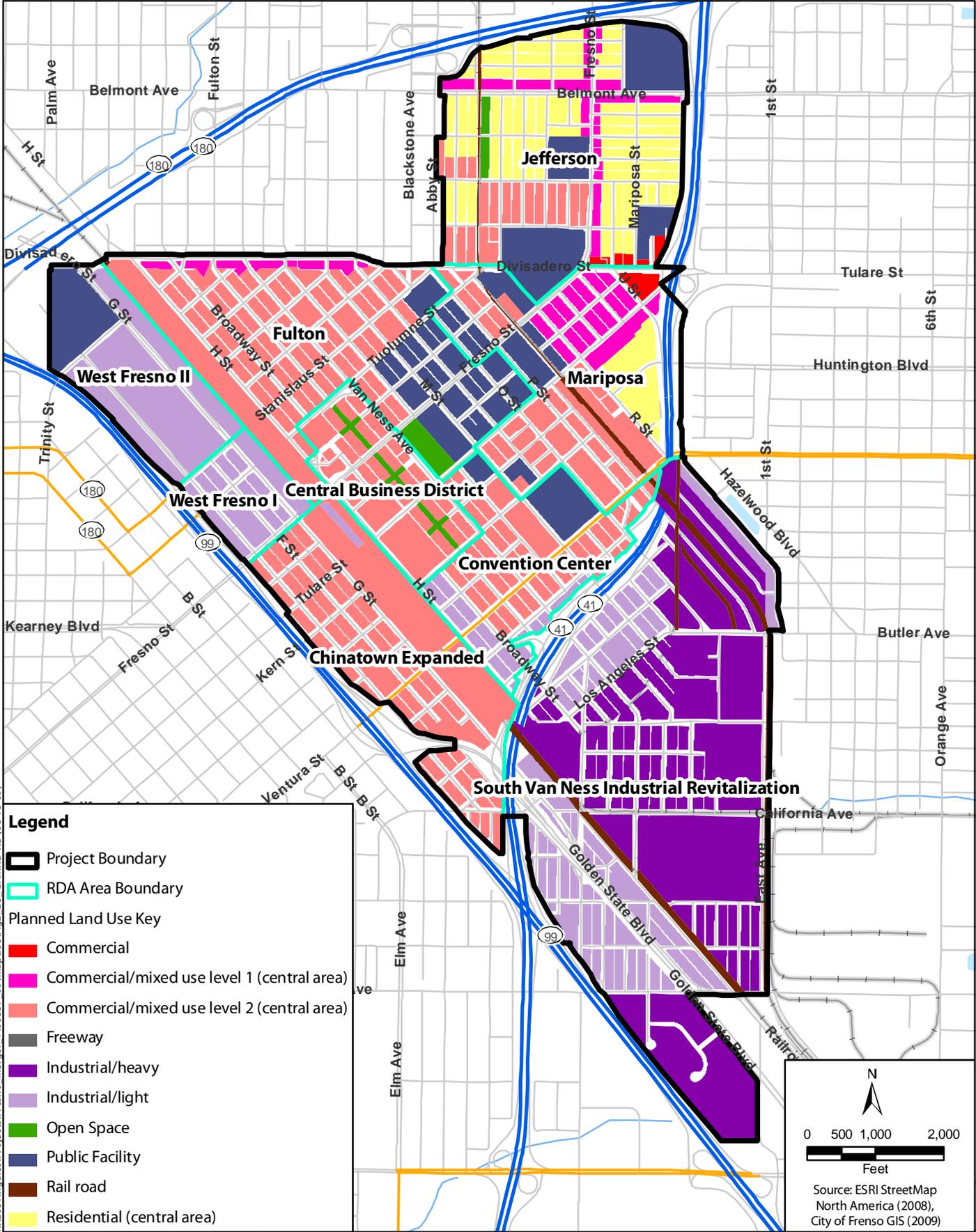


Figure 2
General Plan Land Use Plan Designations

Environmental Factors Potentially Affected:

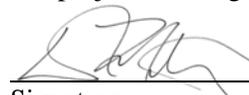
The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a “Potentially Significant Impact”), as indicated by the checklist on the following pages.

- Aesthetics Agricultural Resources Air Quality
- Biological Resources Cultural Resources Geology/Soils
- Hazards and Hazardous Materials Hydrology/Water Quality Land Use/Planning
- Mineral Resources Noise Population/Housing
- Public Services Recreation Transportation/Traffic
- Utilities/Service Systems Mandatory Findings of Significance

Determination:

On the basis of this initial evaluation:

- 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 to 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 is required.
- I find that the proposed project MIGHT have an impact on the environment that is “potentially significant” or “potentially significant unless mitigated” 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. A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (Subsequent EIR) is required under Public Resources Code Section 15162, 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.



Signature

David Martin

Printed Name

July 16, 2009

Date

Fresno Redevelopment Agency

For

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained if 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).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less than Significant with Mitigation Incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “Potentially Significant Impact” to a “Less-than-Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. (Mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced.)
5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)]. In this case, a brief discussion should identify the following:
 - (a) Earlier Analysis Used. Identify and state where earlier analyses are available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - (a) the significance criteria or threshold, if any, used to evaluate each question; and
 - (b) the mitigation measure identified, if any, to reduce the impact to a less-than-significant level.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-Than-Significant Impact.** The Project Area is located within the City’s central urban core. Like greater Fresno, the Project Area is generally level with little grade difference and most development is one to two stories high; therefore, the City’s principal urban form is horizontal and spread out (City of Fresno 2002). The Project Area does not contain any significant landforms, and comprises a mixture of land uses that contain structures of varying age, size, and design. The Project Area is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space (see Figure 2). There are no scenic vistas or viewsheds located within the Project Area (City of Fresno Redevelopment Agency 1998). Development under the Project would result in new and renovated land uses that are compatible with the central urban core. Additionally, development of the Project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Therefore, no scenic vistas would be affected by the development of the Project, and impacts would be less than significant.

b. **No Impact.** As discussed in I.a, no significant landforms or geologic features, including rock outcroppings or attractive trees, are located within the Project Area. The Project is not adjacent to or near any state highway that is designated or eligible to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (CSSHS). The CSSHS designates highways depending on the quantity of natural landscape that can be seen by travelers, the scenic quality of the landscape from a given segment of roadway, and the extent to which development intrudes upon the traveler’s enjoyment of the view. The Project site is not located within or adjacent to any such landscape. The nearest eligible State Scenic Highways are State Route 168 (SR-168) and State Route 180 (SR-180) (California Department of Transportation 2009), which are well outside the City limits east of Fresno and found in the Sierra Nevada Mountain Range. There are no

officially designated State Scenic Highways in Fresno County (California Department of Transportation 2009). Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway and there would be no impact.

- c. **No Impact.** The Project involves amendments and revisions to the Constituent Project Areas' Constituent Redevelopment Plans in order to allow the Agency to continue implementing a comprehensive economic development strategy to alleviate the conditions of blight in the Project Area. The physical blighting characteristics in the Project Area include: 1) buildings that are typically unsafe or unhealthy for persons to live or work in and 2) conditions that prevent or substantially hinder the viable use or capacity of buildings or lots (Keyser Marston Associates, Inc. 2008). Therefore, the Project Area meets the definition of "blighted areas" as defined by California Redevelopment Law (CRL) Section 33030 (effective January 1, 2008). As a continuation of the original 1998 EIR, the Project would beneficially enhance the existing visual character or quality of the Project Area by eliminating blight (Keyser Marston Associates, Inc. 2008). Additionally, future development in the Project Area would have to be consistent with City's current General Plan and applicable community and specific plan policies and requirements related to development standards and urban design as well as the City's Urban Design Guidelines (City of Fresno Redevelopment Agency 1998). As a result, development under the Project would result in new and renovated land uses that are compatible with the central urban core. Therefore, the Project would not substantially degrade the existing visual character or quality of the Project Area and its surroundings and there would be no impact.
- d. **Less-Than-Significant Impact.** This Project would result in future development within the Project Area that would result in new sources of light or glare, and particularly from future parking areas (City of Fresno Redevelopment Agency 1998). Introduction of new lighting from the Project would include lights within and around future buildings, lighting for surface parking lots, and security lighting on the various future structures. However, the future light generated by the Project would be typical of urban development and is not substantially different than the level of lighting proposed at the time the 1998 EIR was certified. Additionally, the lighting for future development would be designed in accordance with development standards as required by the City's Municipal Code and the Agency's Industrial Development Design Guidelines, which both address the issue of light and glare in the Project Area (City of Fresno Redevelopment Agency 1998). Therefore, the Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area and impacts would be less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<p>II. AGRICULTURAL RESOURCES. In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. Would the project:</p>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** The Project Area is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the California Department of Conservation Division of Land Resource Protection’s Farmland Mapping and Monitoring Program (FMMP). According to the *Fresno County Important Farmland 2006* map for east Fresno County, the entire Project Area is designated as “Urban and Built-Up Land” (California Department of Conservation 2009). Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use and there would be no impact.
- b. **No Impact.** According to Table 3.1-1 of the 1998 EIR (City of Fresno Redevelopment Agency 1998) and the *City of Fresno 2025 Fresno General Plan Land use and Circulation Map* (City of Fresno 2007a), no portion of the Project Area is designated for agricultural use by the City. The Williamson Act applies to parcels consisting of at least 20 acres of Prime Farmland or at least 40 acres of land not designated as Prime Farmland. The purpose of the act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land for use as agricultural or related open space (California Department of Conservation 2007). The

Project Area does not contain any land currently under a Williamson Act Land Use Contract (California Department of Conservation 2007). Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and there would be no impact.

- c. **No Impact.** As discussed above, the Project is within the City's central urban core that has been designated as urban of built-up land by the FMMP. The site also is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation; is not zoned for agriculture; or is not currently under a Williamson Act Contract. Therefore, the Project would not involve other changes in the existing environment that, due to their location or nature, could individually or cumulatively result in loss of farmland to non-agricultural use and there would be no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
III. AIR QUALITY. When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **No Impact.** The California Clean Air Act (CCAA) requires nonattainment districts with severe air quality problems to provide for a 5% reduction in nonattainment emissions per year. The Southern San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) prepared an Air Quality Attainment Plan (AQAP) for the San Joaquin Valley Air Basin (SJVAB) in compliance with the requirements of the CCAA. The SJVUAPCD encourages local jurisdictions to design all developments in ways that reduce air pollution from vehicles. Promulgated under the SJVUAPCD, *The Guide for Assessing and Reducing Air Quality Impacts* lists various land uses and design strategies that reduce air quality impacts resulting from new development. The Project was included as part of the General Plan analysis (City of Fresno 2002) and therefore, the Project has been addressed within the current General Plan and, consequently, was considered by the current AQAP. Additionally, as part of the Project, future development must be consistent with the current General Plan and future General Plan updates and applicable community and specific plans as they change from time-to-time. Also, no specific developments are identified as part of the Project that are substantially different from the Project analyzed in the 1998 EIR, but rather the Project proposes amendments to time and financial limits found in the

1998 EIR and as well as incorporating streamlining redevelopment plan language to be consistent with the current General Plan and future General Plan updates, Central Area Community Plan (City of Fresno 1989), Roosevelt Community Plan (City of Fresno 1992), Edison Community Plan (City of Fresno 1977), and Fulton/Lowell Specific Plan (City of Fresno 1996) (see Appendix A for more information). Therefore, the Project is consistent with the applicable air quality management plan and does not require subsequent evaluation. There would be no new or more severe impact.

- b. **Potentially Significant Impact.** Although a discussion of global warming impacts is not currently required by the CEQA Statutes or Guidelines, it is the view of the State Legislature (as expressed in its adoption of Assembly Bill 32, the California Climate Solutions Act of 2006) that global warming poses significant adverse effects to the environment of the state of California and the entire world. Additionally, the California Attorney General has argued that “the lack of official thresholds and guidelines does not absolve the [Agency] from the obligation under CEQA to determine the significance of, or adopt feasible mitigation for, the anticipated GHG emissions [for a project].” The Subsequent EIR will include a discussion of the Project’s potential to generate greenhouse gas (GHG) emissions and will evaluate the potential impacts in the context of global warming as a cumulative impact.

The SJVUAPCD’s governing board has voted to request the federal Environmental Protection Agency (EPA), through the California Air Resources Board (CARB), to reclassify the SJVAB as extreme nonattainment for the federal 8-hour ozone standard, which is a change from the severe nonattainment status disclosed in the 1998 EIR. CARB has approved the board’s request and has forwarded it to EPA. The request will become effective upon completion of the EPA’s final rulemaking after a notice and commenting process. As part of the Subsequent EIR analysis, the Agency will discuss the status of this request and how approval could affect the Project.

The 1998 EIR describes that future development in the Project Area would result in construction- and operations-related air quality impacts, and establishes mitigation to comply with current Fugitive Dust rules established by the SJVUAPCD as well as other established construction-period mitigation that includes site watering, high-wind considerations, transport covering, disturbance minimization, construction vehicle speed limits, sweeping requirements, and proper engine maintenance requirements (City of Fresno Redevelopment Agency 1998). The 1998 EIR also establishes mitigation for operations-related air quality effects by requiring that all future development within the Project Area comply with current review and permitting procedures developed by the SJVUAPCD as well as comply with other established long-term mitigation, which includes site design criteria for commercial and industrial areas, required circulation improvements, building design criteria, and pedestrian and bicycle access accommodation (City of Fresno Redevelopment Agency 1998).

The 1998 EIR also acknowledges that “although the mitigation measures [found in the EIR] would temper air quality effects, short-term effects resulting from construction and operations of development would remain significant” (City of Fresno Redevelopment Agency 1998). Development as a result of the Project could generate substantial emissions from construction and operations that could violate air quality standards. Emissions associated with Project construction equipment exhaust, fugitive dust emissions, emissions from consuming energy such as natural gas, and mobile source emissions could exceed thresholds established by the SJVUAPCD. The significance of this impact was disclosed in the 1998 EIR and, except in the areas of GHG emissions and ozone attainment, the Project would not result in new or more severe impacts in this area. These issues will be further discussed in the Subsequent EIR.

- c. **Potentially Significant Impact.** The San Joaquin Valley is in nonattainment for criteria pollutants including ozone. The SJVUAPCD has adopted thresholds for operational and area sources, which are reactive organic gases, oxides of nitrogen, and particulate matter. In addition, SJVUAPCD also includes thresholds for stationary sources as determined by District Rules for severe attainment and extreme attainment capacities (San Joaquin Valley Air Pollution Control District 2007). A number of these thresholds and standards have become more stringent since the 1998 EIR was certified (Hunter pers. comm.). CEQA defines cumulative impacts as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The 1998 EIR acknowledges that “[c]umulative effects related to the build-out of the redevelopment area would be significant” (City of Fresno Redevelopment Agency 1998). Due to thresholds and standards becoming more stringent since the certification of the 1998 EIR, the Project may result in a new and more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard. This issue will be further discussed in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** Sensitive receptors include people within schools, daycare centers, medical facilities, and other facilities that house or provide services for young children, elderly persons, or people with existing respiratory health problems. The proposed area currently contains a number of schools: 1) Center for Professional Development, 2) Valley Arts and Science Academy, 3) Lowell Preschool 4) Lowell Elementary School, 5) Childtime Learning Center, 6) Yokomi Preschool, 7) Yokomi Elementary School, 8) Tehipite Middle School, 9) Jefferson Preschool, 10) Jefferson Elementary School, 11) Sanctuary, 12) Cesar E. Chavez Adult Education, 13) W.E.B. Dubois Public Charter School, 14) Fresno Special Education, and 15) Fresno County Special Education (Google Earth 2009). There are also a few medical facilities located within the Project Area: 1) Community Medical Centers: Emergency Department, 2) Community Mothers Resource Center, and 3) Fresno Dental Surgery Center (Google Earth 2009). There are also residents within the Project Area that could be considered sensitive

receptors. Industrial and commercial uses are not considered sensitive receptors.

Construction activities associated with future development have the potential to generate dust and other airborne pollutants from construction emissions. These activities also have the potential to expose workers and current and future residents to air emissions that would likely be produced by construction of the Project. Future operations within the Project Area also have the potential to contribute to regional ozone levels and deterioration of ambient air quality.

The 1998 EIR acknowledges that future development in the Project Area would result in construction- and operations-related air quality impacts that could affect sensitive receptors (see III.b for more information). The Project was included as part of the current General Plan analysis and has been addressed by the current General Plan for sensitive receptors. Future development as a result of the Project must be consistent with the current General Plan and future General Plan updates. Therefore, the Project would not have a new or more severe effect in exposing sensitive receptors to substantial pollutant concentrations and there would be no impact that must be analyzed in the Subsequent EIR.

- e. **Less-Than-Significant Impact.** Future development associated with implementation of the Project may generate detectable odors from heavy-duty equipment exhaust and paving activities. These odors are expected to be infrequent, of short duration, and dissipate relatively quickly. Future operational odors could occur as a result of the Project, and particularly industrial operations. If continually prevalent, odors may be considered objectionable by individuals living in the area. Nevertheless, such odors are common in urban areas and were found in the Project Area in 1998 when the 1998 EIR was certified. The 1998 EIR concluded that uses that generate or use odorous compounds would be permitted only through a conditional use permit (CUP) (City of Fresno Redevelopment Agency 1998) and thereby addresses impacts from odorous compounds through the use of the CUP process. The CUP process has not changed since 1998. Therefore, the Project would not have a new or more severe effect in creating objectionable odors that affect a substantial number of people and there would be no impact that must be analyzed in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **No Impact.** The California Natural Diversity Database (CNDDDB) listed the following special-status species with potential for occurrence within the U.S. Geological Survey (USGS) Fresno South 7.5-minute quadrangle map (California Department of Fish and Game 2009):

- California tiger salamander (*Ambystoma californiense*; federally threatened and state candidate);

- hoary bat (*Lasiurus cinereus*);
- pallid bat (*Antrozous pallidus*; state species of special concern);
- western mastiff bat (*Eumops perotis californicus*; state species of special concern);
- San Joaquin pocket mouse (*Perognathus inornatus inornatus*);
- molestan blister beetle (*Lytta molesta*);
- Antioch efferian robberfly (*Efferia antiochi*);
- Hurd's metapogon robberfly (*Metapogon hurdi*);
- burrowing owl (*Athene cunicularius*; state species of special concern);
- caper-fruited tropidocarpum (*Tropidocarpum capparideum*);
- California jewel-flower (*Caulanthus californicus*; federally and state endangered);
- Madera leptosiphon (*Leptosiphon serrulatus*); and
- California satintail (*Imperata brevifolia*).

The Project Area is within the central urban core of Fresno and is nearly devoid of any vegetation and undisturbed native habitat does not exist (City of Fresno Redevelopment Agency 1998). The lack of suitable habitat, significant disturbance in the Project Area, and unsuitable hydrology or other critical resources precludes all of the above listed species. Additionally, the 1998 EIR concluded that there are no species identified as a candidate, sensitive, or special-status species within the Project Area because such species have been extirpated (City of Fresno Redevelopment Agency 1998). This situation has not changed. Therefore, the Project would not have a new or more severe 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 (CDFG) or U.S. Fish and Wildlife Service (USFWS) and there would be no impact that must be analyzed in the Subsequent EIR.

- b. **No Impact.** The Project Area is not crossed by any natural stream or river. Based on a review of the South Fresno 7.5-minute USGS quadrangle, no historical occurrence of any river or stream existed within the project area (National Geographic Maps 2003). In addition, a review of the CNDDDB was conducted for the Project Area, and this review determined that there are no sensitive natural communities tracked by the CNDDDB that are found within, or in the vicinity of, the Project Area (California Department of Fish and

Game 2009). The situation has not changed. Therefore, the Project would not have a new or more severe adverse effect on any riparian habitat or other sensitive natural community that would require analysis in the Subsequent EIR.

- c. **No Impact.** The National Wetlands Inventory (NWI) map for the South Fresno 7.5-minute USGS quadrangle was reviewed for wetland resources. The NWI database search determined that there are no wetland areas within the Project Area (U.S. Fish and Wildlife 2003). The 1998 EIR also states that there are no natural communities, including marshes, vernal pools, and riparian habitat, within the Project Area (City of Fresno Redevelopment Agency 1998). The situation has not changed. Therefore, the Project would not have a new or more severe adverse effect on federally protected wetlands that would require analysis in the Subsequent EIR.
- d. **No Impact.** Although some wildlife species may on occasion pass through the Project Area, there is no conclusive evidence that any portion of the Project Area serves as an important linkage between extant wildlife habitats. Surrounding urban development further diminishes the possibility that the Project Area is important for terrestrial wildlife movement, and severs linkage between the open space in the Project Area and surrounding open areas. The Project Area is not considered an integral part of a regional wildlife corridor. The situation has not changed since certification of the 1998 EIR. Therefore, the Project would not have a new or more severe adverse effect on wildlife movement or corridors that would require analysis in the Subsequent EIR.
- e. **No Impact.** The City of Fresno has a tree preservation ordinance and future development would have to comply with this ordinance. The 1998 EIR also requires that future development within the Project Area not conflict with any local policies or ordinances protecting biological resources (City of Fresno Redevelopment Agency 1998). The situation has not changed since certification of the 1998 EIR. Therefore, the Project would not have a new or more severe adverse effect on wildlife movement or corridors that would require analysis in the Subsequent EIR.
- f. **No Impact.** There is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. There would be no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
V. CULTURAL RESOURCES.	Would the project:				
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Potentially Significant Impact.** The Project Area contains numerous historic structures that are listed on the Local Register of Historic Resources or that may be eligible for the California Register of Historic Resources and/or National Register of Historic Places (City of Fresno Redevelopment Agency 1998). In addition, there are areas (L Street District, St. John’s Cathedral District, Santa Fe Warehouse District, Bellevue Bungalow District, East Madison Historic District, and North Park Historic District) within the Project Area that have been called out as “potential” historic districts in prior City plans, environmental documents, and/or surveys (Historicfresno.org 2009). There are also likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources. As part of the Project, the Agency is proposing to substitute existing mitigation in the 1998 EIR with new mitigation that would require that developers follow a survey and performance standards menu protocol that is to be applied within the Project Area on a case-by-case basis during the discretionary approval phase of a proposed development. Specifically, the existing mitigation to be substituted is Mitigation Measure 3.15-5:

The City shall conduct A Historic Building Survey of the South Van Ness Industrial [Constituent Project Area]. Said Survey shall commence by no [later] than January 1, 2000. The City shall consider and implement the recommendations of the Survey to the extent feasible.

To date, this mitigation measure has not been implemented. These issues will be further addressed in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** The 1998 EIR determined that the Project Area does not contain any known archaeological resources (City of Fresno Redevelopment Agency 1998). Since the 1998 EIR, there have been discussions that the Chinatown Expanded Redevelopment Project Area may contain historic tunnels associated with illicit activities (such as a past red-light district and illegal gambling areas) that connect existing underground structures (such as existing basements). However, to date, these claims have not been substantiated. Additionally, the so-called Germantown area found within the Project Area may also contain previous unknown cultural resources. Mitigation Measure 3.15-1 in the 1998 EIR requires that, if previously unknown archaeological resources are discovered during future development, operations shall cease after discovery and a qualified archaeologist shall be contacted to determine the significance of a find. Therefore, the Project would not result in a new or more severe significance impact on archeological resources and this issue does not require further analysis in the Subsequent EIR.
- c. **Less-Than-Significant Impact.** As described in I.b, the Project Area does not contain any unique geologic features. As discussed in V.b, there is mitigation for previously unknown paleontological resources that reduce impacts to less than significant. No changes have occurred since certification of the 1998 EIR. Therefore, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature and this issue does not require further analysis in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** Mitigation Measure 3.15-1 in the 1998 EIR requires that, if human remains are discovered during future development, operations shall cease after discovery, and that the County Coroner and the Native American Heritage Commission (NAHC), if the remains are thought to be Native American in origin, shall be immediately contacted (City of Fresno Redevelopment Agency 1998). Additionally, if human remains were discovered, further excavation or disturbance would be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. If Native American remains were identified, Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code provide specific measures for addressing the remains. No substantive changes have occurred since certification of the 1998 EIR. Therefore, the Project would not require further analysis in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic groundshaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. 1.) **No Impact.** The Alquist-Priolo Earthquake Fault Zone Act (Alquist-Priolo Act) was passed in 1972 to mitigate the hazard of surface faulting to structures used for human occupancy. Under the Alquist-Priolo Act, the California State Geologist identifies areas in the state of California that are at risk from surface fault rupture. The Alquist-Priolo Act's main purpose is to prevent the construction of buildings used for human occupancy on the trace of active faults (California Geological Survey 2007), which may be subject to fault rupture from a seismic event. According to California Geological

Survey Special Publication No. 42 (Interim Revision 2007), the entire county of Fresno does not contain any earthquake fault zones, as defined by the Alquist-Priolo Act (California Geological Survey 2007). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

2.) **Less-Than-Significant Impact.** According to the 1998 EIR, the Fresno area is susceptible to earthquakes (City of Fresno Redevelopment Agency 1998). According to the California Geological Survey, the closest major active fault systems are to the east of Fresno County in Mono and Inyo Counties, and in the Sierra Nevada Mountain Range over 50 miles away (California Geological Survey 2007). Structures built within the Project Area would be required to be constructed in accordance with the City's established building procedures (City of Fresno Redevelopment Agency 1998), including compliance with the Uniform Building Code (UBC) and California Building Code (CBC) and the preparation of a preliminary soils report prior to subdivision map review. Recommendations in the preliminary soils report must be incorporated into future development design. The UBC/CBC would require adherence to all modern earthquake standards, including those relating to soil characteristics. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

3.) **Less-Than-Significant Impact.** Liquefaction is defined as the transformation of granular material from a solid state into a liquefied state as a consequence of increased pore-water pressure. Seismic-induced liquefaction occurs when loose, water-saturated sediments of relatively low density are subjected to extreme shaking that causes soil to lose strength or stiffness because of increased pore water pressure. The loss could cause a failure or the inability of the subsurface layers to support overlying structures and is generally characterized by settlement, uplift on structures, and an increase in lateral pressure on buried structures. The 1998 EIR states that the Project Area does not contain unstable earth conditions or unique geological or physical conditions, including conditions that could cause seismic-related ground failure (such as liquefaction) (City of Fresno Redevelopment Agency 1998). Also, as stated in VI.a.2, development would be required to implement soil treatment measures as described in a preliminary soils report. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

4.) **No Impact.** A strong earthquake could trigger landslides or slope failures on steep slopes. The common types of landslides induced by earthquakes are bluff and stream bank failures, rock falls, and soil slips on steep slopes. Because the Project Area is located on flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to

landslides, impacts from seismically induced landslides would not occur, and there would be no impact.

- b. **Less-Than-Significant Impact.** Future construction activities have the potential to result in erosion, sedimentation, and the discharge of construction debris from the Project site. Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak storm water runoff flows and wind forces. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of large amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. If uncontrolled, these materials could lead to erosion problems, including sediment-laden runoff and wind-driven erosion. All construction activities associated with the Project would be conducted in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES) construction stormwater program. As described in the 1998 EIR, most future development would be required to obtain a NPDES General Permit for Construction Activities (Permit No. CAS000002), which is handled during the review and approval process of grading and drainage plans (City of Fresno Redevelopment Agency 1998). The NPDES construction stormwater program also requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to be implemented for each future development over 1 acre to ensure that stormwater flows do not result in sedimentation or pollutant conveyance off site. In order to achieve this goal, the SWPPP specifies that best management practices (BMPs) be used in order to prevent construction pollutants from contacting stormwater and to stop all products of erosion from moving off site into receiving waters. The City also requires that construction-related drainage remain on site (City of Fresno Redevelopment Agency 1998).

Operation of future development also would not result in substantial soil erosion or loss of topsoil as future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control in order to reduce erosion potential (City of Fresno Redevelopment Agency 1998). As part of the requirements, landscaping would have to be planted on exposed soils in order to stabilize and anchor soils. Concrete stormwater conveyance (and possibly storage) structures may have to be constructed as part of the future development to collect and channelize stormwater flows and reduce erosion; individual development's stormwater conveyance needs would have to be reviewed and approved by the City. Future development would contain impervious surfaces, such as commercial structures, asphalt for the parking lots, and other concrete structures (e.g., curbs, stormwater conveyance structures, etc.), that are not susceptible to erosion. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** See VI.a.3 for more information. Therefore, the Project would not 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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- d. **Less-Than-Significant Impact.** See VI.a.3 for more information. Therefore, if future development within the Project Area were to be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), recommendations from the preliminary soils report would mitigate soil hazard impacts. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **No Impact.** Future development within the Project Area would not use septic tanks or other alternative wastewater disposal systems to dispose of wastewater. Future development would be connected to, and served by, the existing sewer system within the Project Area, the flow from which would be treated at one of the City's existing or future new or expanded wastewater treatment plants. See "Utilities and Service Systems" below for information about sewer systems and wastewater treatment facilities. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **Less-Than-Significant Impact.** Hazardous substances typically used for construction, such as paints, solvents, and cleaners, would be transported and used for future development. Also, grading and construction activities would

require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment. Substances may also be stored in temporary storage tanks/sheds that would be located on site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose workers. Compliance with the requirements set forth in U.S. Code and California Health and Safety Code, under the direct oversight of Fresno Fire Department and Fresno County Health Department, would be required for future development.

Operations of future development, depending on the type of development, could require the use or storage of acutely hazardous materials. Regardless of the development, some amount of hazardous materials may be used for regular maintenance and cleaning of commercial businesses and residences, but these materials are usually not considered a significant risk to health and safety, and use, handling, and storage of hazardous materials would be expected to be in compliance with the appropriate safety standards. According to the 1998 EIR, all future development, as a standard matter of approval, would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation (City of Fresno Redevelopment Agency 1998). Areas within the South Van Ness Industrial Constituent Project Area are zoned for industrial uses that may use or store hazardous waste, but these uses would be required to obtain a CUP from the City that would place conditions upon such development to ensure public health and safety (City of Fresno Redevelopment Agency 1998). Additionally, all future development would have to fully comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous materials as well as develop and submit business response plans and, if necessary, Risk Management and Prevention Programs, as required by the City. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** As discussed above, hazardous substances would be used in the construction and operation of future development within the Project Area. The risk of accidental release or explosion is possible. However, as described in VII.a, all future development would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation. Additionally, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** There are a number of schools within the Project Area (see III.d for a list of the schools), and additional schools may be developed in the future. As discussed in VII.a and VII.b, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. With proper implementation of necessary plans and programs, future development within the Project Area would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste that would result in a significant adverse risk to a nearby existing or proposed school. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** The Project Area contains a number of active sites that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List): 1) former Burlington Northern Santa Fe Ice House (3090 E. Church Avenue), 2) South Fresno regional groundwater plume (north of Church Street at S. East Avenue), and 3) South Fresno PCE groundwater plume (South Fresno area) (California Department of Toxic Substance Control 2009). Each of these sites is considered “active” by the California Department of Toxic Substance Control (DTSC), but none of the sites are a “Super Fund” site (California Department of Toxic Substance Control 2009). These sites were active during the preparation of the 1998 EIR (California Department of Toxic Substance Control 2009). Remediation of these sites is governed by the DTSC, which is charged with conducting and overseeing cleanups for sites found on the Cortese List. Additionally, any future development on a Cortese List site would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation (City of Fresno Redevelopment Agency 1998). Additionally and in recognition that redevelopment and reuse is important in the remediation of future hazardous waste sites, the EPA has established the “Brownfield” grants program to further redevelopment activities on such sites, and this money could be used within the Project Area for future development on contaminated sites (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **Less-Than-Significant Impact.** Approximately 45 acres of the Project Area (generally bounded by SR-99, SR-180, G Street, and Kern Street) is located within Traffic Pattern Zone No. 6 of the *Fresno-Chandler Downtown Airport Master and Environs Specific Plan* (Airport Plan) adopted on April 13, 1999, which was after adoption of the 1998 EIR. The western edge of the Project Area is located about 0.75 mile from the (now named) Chandler Downtown Executive Airport (510 W. Kearney Boulevard), a public use airport to the

west. The airport can only accommodate single-wheeled aircraft less than 17,000 pounds (FltPlan.com 2009). The airport has a B-1 Airport Reference Code, which means it is designed to handle 95% of all general aviation aircraft weighing less than 12,500 pounds (City of Fresno 2005). The Project Area is located well outside the 60 and 65 community noise exposure level (CNEL) noise contours and any of the approach protection zones of the airport. Land uses within Traffic Pattern Zone No. 6 are restricted to a maximum allowable intensity of use (people per acre) for nonresidential uses of 150 people per acre. Please note that the majority of the land in the affected 46 acres has been largely built up prior to 1998 and is generally consistent with the Airport Plan requirements. Only a minor portion of the 46 acres, between Fresno and Kern Streets, would likely be candidates for redevelopment for new residential uses under the mixed-use designation. Future development of any new residential uses would be allowed subject to requirements of the Airport Plan. Given the modest size of the airport, the fact that the Project Area is sufficiently away from it, and because future development would be required to comply with the Airport Plan, future development would not result in building heights in close proximity that could affect landing and takeoff approaches nor expose people to undue hazards. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- f. **No Impact.** The Project Area is not located within the vicinity of a private airstrip and therefore, would not result in a safety hazard for people residing or working in the Project Area. See VII.e for more information. There would be no impact.
- g. **Less-Than-Significant Impact.** Future construction within the Project Area could cause temporary detours and lane closures on streets, but it is the City's standard practice to coordinate construction activities with emergency service providers and encroachment permits would be required within City right-of-ways (City of Fresno Redevelopment Agency 1998). As described in the 1998 EIR, future development within the Project Area is required to comply with Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department codes and regulations, including applicable emergency response and evacuation plans (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- h. **No Impact.** The Project Area is surrounded by existing urban development and is not located adjacent to a wildland area. The future development would consist of residential, commercial, and industrial development with appreciable amounts of impervious surfaces and therefore, is not susceptible to wildland fires. Additionally, periodic weed abatement efforts are required in the Project Area in accordance with City standards. Therefore, wildland fires do not have the potential to affect the site, and no impacts would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact	
VIII. HYDROLOGY AND WATER QUALITY.					
Would the project:					
a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j.	Contribute to inundation by seiche, tsunamis, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **Less-Than-Significant Impact.** Future construction within the Project Area has the potential to result in erosion, sedimentation, and the discharge of construction debris. Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak stormwater runoff flows. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of significant amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. This has not changed since the certification of the 1998 EIR. If uncontrolled, these materials could lead to water quality problems, including sediment-laden runoff, prohibited non-stormwater discharges, and ultimately the degradation of downstream receiving water bodies. Construction activities that disturb greater than 1 acre would be required to obtain coverage under the Statewide General Construction NPDES permit and prepare a SWPPP to minimize the potential runoff water quality impacts associated with construction. By obtaining coverage under the statewide NPDES General Permit for Construction Activities (Permit No. CAS000002) and the related preparation of a SWPPP, future site-specific construction activities would not violate any water quality standards or waste discharge requirements during the construction period and impacts would be less than significant.

Nonpoint source pollution is caused by surface runoff that picks up and carries away natural and human-made pollutants, depositing them into lakes, rivers, wetlands, coastal waters, and groundwater. Surface parking areas especially contribute to nonpoint source pollution (e.g., oil, grease, radiator fluid, pesticides, and excess fertilizer from landscape maintenance activities) washed into stormwater conveyance structures during rain events. As a result, urban development can result in the pollution of offsite drainages and aquifers. Future development must comply with the NPDES permit (NPDES No. CA0083500) and Waste Discharge Requirements (WDR) order (Order No. 5-01-048) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB) for stormwater conveyance flows in Fresno County (Central Valley Regional Water Quality Control Board 2001). These 2001 NPDES and WDR standards are more protective than the 1998 stormwater quality standards. Future development in the Project Area would be subject to the requirements of the NPDES permit and WDR order, which are met in the Fresno area through compliance with the City and Fresno Metropolitan Flood Control District grading and drainage standards (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- b. **Potentially Significant Impact.** Future development within the Project Area would incrementally increase the demand for potable water. The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand

winter periods and high-demand summer periods, respectively) (City of Fresno 2009a). According to the City's Urban Water Management Plan (UWMP), there are "no projected supply shortfalls" in water supply contingent upon the timely implementation of the Planned Supply Projects and Programs (UWMP, 4-15) (a significant portion of which is obtained from groundwater) for normal, single dry, and multiple dry year scenarios ending in 2010, 2015, 2020, and 2030 provided that future development is consistent with the General Plan (City of Fresno 2008a). The City's Department of Public Utilities notes that, aside from mixed-use designations (such as Commercial/Mixed Use Level 1 (Central Area) and Commercial/Mixed Use Level 2 (Central Area)), if proposed future development within the Project Area is consistent with the General Plan and future updates, then development has been accounted for in the UWMP provided that development does not exceed land use based water allocations identified in the UWMP by constructing high water use characteristics, e.g., water features, excessive amount of landscaping, over densification. Mixed-use future development could exceed water allotments as allocated in the UWMP.

The Project includes expiration dates for redevelopment within the Convention Center (1/12/35), Jefferson (12/18/37), and Chinatown Expanded Constituent Project Areas (1/28/38) that are beyond the 2030 date analyzed in the UWMP. Therefore, water supply has not been analyzed for these Constituent Project Areas beyond 2030. These issues will be further addressed in this Subsequent EIR.

- c. **Less-Than-Significant Impact.** As discussed in VI.b and VIII.a, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from future construction that causes soil disturbance over 1 acre. Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP. A SWPPP includes BMPs to stop all products of erosion as a result of runoff from moving off site into receiving waters during construction.

The Project Area is essentially flat ground with modest potential for runoff. Future construction and placement of commercial structures, landscaping, parking lots, and other impermeable surfaces would alter the existing drainage patterns of the Project Area by preventing precipitation from entering the soil column. However, implementation of the City and Fresno Metropolitan Flood Control District grading and drainage standards would prevent operational runoff from the Project site from exceeding existing peak flows. Increased impervious surfaces would also virtually eliminate erosion potential because there would be minimal soil surface area exposed to erosion processes, and landscaping in areas not paved over would anchor and stabilize soils to further reduce erosion potential.

The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment

Agency 1998). As discussed in VI.b, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- d. **Less-Than-Significant Impact.** See response to VIII.c. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **Less-Than-Significant Impact.** The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion; any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VI.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance over 1 acre and potential runoff. Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP.

The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment Agency 1998). There is no evidence indicating that this is not still the case. As discussed in VI.b, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). Additionally, the City and Fresno Metropolitan Flood Control would place additional conditions (such as pretreatment systems) on future development (and especially industrial development) to ensure that future development's runoff would not affect water quality (City of Fresno Redevelopment Agency 1998). Several classes of industrial uses would also be required to obtain NPDES permits to ensure water quality standards are reached (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact.

Therefore, the Project would not require further analysis in the Subsequent EIR.

- f. **Less-Than-Significant Impact.** See responses to VIII.a and VIII.e. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- g. **No Impact.** Portions of the Project Area are within the 100-year flood plain (City of Fresno Redevelopment Agency 1998). According to Flood Insurance Rate Map (FIRM) Nos. 06019C2110H (Federal Emergency Management Agency 2009a) and 0619C1570H (Federal Emergency Management Agency 2009b), the entire Project Area is either in Zone X³ or Zone AH.⁴ Zone X is not within, but Zone AH is within, the 100-year floodplain. Within the Project Area, the Zone AH areas are found exclusively in the South Van Ness Industrial Constituent Project Area, and only include areas designated as industrial. Therefore, the Project would not place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard delineation map and there would be no impact.
- h. **Less-Than-Significant Impact.** As discussed in VIII.g, portions of the Project Area are within the 100-year flood plain (of Fresno Redevelopment Agency 1998; Federal Emergency Management Agency 2009a; and Federal Emergency Management Agency 2009b). In areas subject to shallow flooding, building pads would be required to be elevated above flood levels, and the City and the Fresno Metropolitan Flood Control District would require concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). With the requirements of the City and Fresno Metropolitan Flood Control District, the impacts are not new or more severe than in 1998. Therefore, the Project would not require further analysis in the Subsequent EIR.
- i. **Less-Than-Significant Impact.** See response to VII.h. A surface water body does not traverse the Project Area, and the area is not within a dam failure flood inundation zone. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam and impacts would be less than significant.

³ Zone X is a zone with areas of 0.2% annual flood chance (500-year floodplain).

⁴ Zone AH is a Special Flood Hazards Area subject to inundation by the 1% annual chance flood (100-year flood) where flood depths are 1 to 3 feet (usually in areas of ponding).

- j. **No Impact.** The Project Area is not located near any significantly sized enclosed body of water or coastal area and is, therefore, not susceptible to a seiche or tsunami. The site is not located at the foot of any significant topographical feature with the potential for mudflow. No impacts would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
IX.	LAND USE AND PLANNING. Would the project:				
a.	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** The Project Area is within Fresno’s central urban core and is surrounded on all sides by existing urban land uses (see Figures 1 and 2). Development under the Project would be urban infill, consistent with the General Plan. As such, the Project does not have the capacity to divide an established community and there would be no impact.
- b. **No Impact.** As described in the 1998 EIR, future development within the Project Area would need to be consistent with the City’s adopted land use plans and policies, including the most current General Plan (City of Fresno Redevelopment Agency 1998). Additionally, and as part of the project description, the Project would revise language found within the separate Constituent Redevelopment Plans for all of the Constituent Project Areas, aside from Convention Center and Chinatown Expanded (which have been previously amended), to ensure that the land use plan is consistent with the most current General Plan and any applicable specific or community plans, as the plans may be amended from time to time. As such, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect and no impacts would occur.
- c. **No Impact.** As discussed in IV.f above, there is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. Therefore, the Project would not conflict with any applicable habitat conservation plan or natural community conservation plan and there would be no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
X. MINERAL RESOURCES.	Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** Table 3.1-1 of the 1998 EIR lists the existing land use categories within the Project Area and mineral resource land uses are not found within this table. Additionally, the *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map* does not show any General Plan mineral resource land use designations within the Project Area (City of Fresno 2007a). No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- b. **No Impact.** No portion of the Project Area is designated in the: 1) General Plan; 2) Central Area Community Plan; 3) Roosevelt Community Plan; 4) Edison Community Plan; and 5) Fulton/Lowell Specific Plan as a locally important mineral resource recovery site. Also, see X.a above for more information. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XI. NOISE.	Would the project:				
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **Potentially Significant Impact.** The 1998 EIR requires that future development within the Project Area adhere to City standards, which include and the City’s current performance standards found in the zoning ordinance, noise ordinance, and Land Use and Noise Elements of the City’s General Plan (City of Fresno Redevelopment Agency 1998). Although the General Plan is updated periodically, as part of the project description, language found within the separate Constituent Redevelopment Plans would be revised to be consistent with the most current General Plan update. The City also requires locating potential noise generating uses away from sensitive land uses/receptors (e.g., educational facilities, hospitals, churches, and residential land uses) (City of Fresno Redevelopment Agency 1998). Future construction would be required to also adhere to applicable standards, which include properly muffling construction equipment, limiting construction activities between the hours of 7:00 am and 7:00 pm, and phasing public work activities within the Project Area to optimize traffic flow and reduce braking and acceleration noise (City of Fresno Redevelopment Agency 1998). The 1998 EIR also concludes that construction activities, because

they are short-term and intermittent, would not result in significant noise impacts (City of Fresno Redevelopment Agency 1998).

Section K of the Master EIR (MEIR) for the 2025 Fresno General Plan discusses Mitigation Measures K-1 through K-3, which require that the City adopt land use noise compatibility standards and require noise studies for development that exceeds 60 decibels Community Noise Equivalent Level (dBA CNEL) to identify potential noise impacts and analyze mitigations (City of Fresno 2002). The mitigation also requires site planning that includes increasing the distance from noise sources to sensitive receptors (see above), placing non-noise sensitive land uses between noise source and receiver, and orienting usable outdoor living space away from roadways (City of Fresno 2002). Mitigation measures also suggest solid barriers when necessary to be in compliance with the noise ordinance as well as effective building design (City of Fresno 2002). Additionally, mitigation requires that the City continue to enforce Title 24 Noise Insulation Standards. However, with inclusion of these migration measures, the MEIR concluded that direct and cumulative noise impacts within the City would be significant and unavoidable. The primary drivers of direct and cumulative noise impacts are increased traffic levels by the year 2025 due to population growth and increased use of nearby airports (including Chandler Executive Airport, which is located about 0.75 mile from the western edge of the Project Area) (City of Fresno 2002). Accordingly, there appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR. This issue will be further evaluated in the Subsequent EIR to determine whether there is a new or more severe impact not considered in the 1998 EIR.

- b. **Less-Than-Significant Impact.** Similar to noise generation (see XI.a above for more information), the 1998 EIR requires that future development within the Project Area adhere to City standards, which include locating potential vibrational (or ground-borne noise) generating uses (typically trucking and manufacturing operations) away from sensitive land uses/receptors (City of Fresno Redevelopment Agency 1998). Also, similar to noise generation, future construction could generate short-term vibration (or ground-borne noise) generation, such as by the use of earthmoving equipment, jack hammers, and pile drivers, but such activities would be short-term and intermittent and would not be significant (City of Fresno Redevelopment Agency 1998). Future development would be required to comply with applicable City standards regarding vibration (or ground-borne noise) generation for the construction and operational periods. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from vibration or groundborne noise levels. Therefore, no analysis is required in the Subsequent EIR.
- c. **Potentially Significant Impact.** See XI.a for more information. As discussed above, with inclusion of migration measures, the MEIR for the 2025 GP concluded that direct and cumulative noise impacts within the City would be significant and unavoidable. This issue will be further evaluated in

the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.

- d. **Potentially Significant Impact.** Temporary noise impacts could occur from future construction within the Project Area. As discussed in XI.a, future construction would also be required to adhere to applicable standards and established mitigation. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from temporary or intermittent noise from construction. Therefore, no analysis is required in the Subsequent EIR.

However, the MEIR for the 2025 GP concluded that periodic noise generated from railroad operations (such as those along the Santa Fe and Southern Pacific Railroad lines within the Project Area) and from nearby airports (such as from the nearby Chandler Executive Airport) would result in periodic noise levels that exceed established noise significance thresholds (City of Fresno 2002). Future development within the Project Area that is near railroad lines or the airport could result in exposing the public/sensitive receptors to unacceptable periodic noise levels. The MEIR concluded that, with inclusion of migration measures, direct noise impacts as a result of trains and the airport would be a significant and unavoidable. Therefore, depending on the location of future development within the Project Area, the Project could expose people residing or working in the Project Area to excessive noise levels. This issue will be further evaluated in the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.

- e. **Potentially Significant Impact.** As discussed in VII.e, approximately 45 acres of the Project Area is located within the Airport Plan. Also, as discussed in XI.d, the MEIR concludes that periodic noise from the nearby airport would result in periodic noise levels that exceed established noise significance thresholds (City of Fresno 2002). Future development, depending in its location within the Project Area, could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. This issue will be further evaluated in the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.
- f. **No Impact.** As discussed in VII.f, the Project Area is not located within the vicinity of a private airstrip and therefore, would not expose people located in the vicinity of a private airstrip and residing or working in the Project Area to excessive noise levels. There would be no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XII. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-Than-Significant Impact.** The 1998 EIR concludes that future development may result in small population gains in the Project Area due to the construction of new housing units (City of Fresno Redevelopment Agency 1998). Future development may also bring additional people into the greater Fresno area as a result of job opportunities created by future development. But, effects on the population would be generally positive and not significant because housing programs within the Project Area would assist the City in meeting its housing needs and, in compliance with CRL, would provide low- and moderate-income housing (City of Fresno Redevelopment Agency 1998). Future development is required to be consistent with population forecasts adopted by the Council of Fresno County Governments to accommodate Fresno’s fair share of the regional growth forecast (City of Fresno 2002). Additionally, the Project would not result in the extension of infrastructure (e.g., extending roads, potable water lines, sewer lines, etc. into open space on the fringe of the City) that would facilitate future development in nonurban areas and therefore, would not induce population growth. No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

b. **Less-Than-Significant Impact.** In situations where residential units are nonconforming, planned nonresidential development may result in the removal of housing units (City of Fresno Redevelopment Agency 1998). Redevelopment activities such as land acquisition and site assembly may also cause the removal of housing units (City of Fresno Redevelopment Agency 1998). However, in accordance with CRL and Agency procedure, displaced low- and moderate-income housing must be replaced on a one-to-one basis

and 20% of the tax increment funds must go towards low- and moderate income housing (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** As discussed in XII.b above, future actions as a result of the Project could displace people within the Project Area. These actions include removal of nonconforming residential units, land acquisition, and site assembly as allowed by CRL (City of Fresno Redevelopment Agency 1998). However, in accordance with CRL and Agency procedure, displaced people as a result of future actions by the Agency within the Project Area are entitled to just compensation and relocation assistance (City of Fresno Redevelopment Agency 1998). Additionally, California Administrative Code requires that a relocation plan be prepared that summarizes the relocation needs of those displaced and identifies relocation and available housing resources, which are reviewed by the California Department of Housing and Community Development and mitigate the effects of redevelopment activities related to displaced residents (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from temporary or intermittent noise from construction. Therefore, no analysis is required in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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XIII. PUBLIC SERVICES. Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **Less-Than-Significant Impact.** The need for public services is primarily driven by population growth. As population grows, so does the need for additional public services (facilities and personnel) to meet necessary service ratios, school class size requirements, and the goal of ample recreational opportunities for a healthier citizenry. As discussed in XII.a, the Project would not induce substantial population growth. Future development within the Project Area would generate an incremental increase in the need for some public services (City of Fresno Redevelopment Agency 1998). The following discussions further describe the Project’s effect on specific public services.

Fire Protection

Construction activities as a result of future development may increase the potential for fires, but are not considered to be significant because fire protection response times are adequate within the Project Area and construction activities would have to adhere to current City fire regulations (City of Fresno Redevelopment Agency 1998). Additionally, City of Fresno Fire Department regulations require that for large projects, a fire inspector be on site until completion of the shell structure (City of Fresno Redevelopment Agency 1998). Operations of future development within the Project Area would incrementally increase demand for fire protection services within the Project Area (City of Fresno Redevelopment Agency 1998), but would be

subject to the Citywide Fire Facilities Fee, which requires projects to pay their fair share of costs related to fire protection services needs as a result of future development (City of Fresno 2002). Additionally, all future structures and site improvements would have to be constructed in accordance with the most current building, safety, and fire codes adopted by the City (City of Fresno Redevelopment Agency 1998). Removal of blighted conditions through rehabilitation/conservation, demolition, and construction of new structures as a result of the Project would also reduce the fire safety threat caused by vacant, abandoned, or substandard structures (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Police Protection

Construction activities may result in potential equipment theft, trespassing, or vandalism, but this would not affect police protection service ratios or response times as these common criminal activities are routinely handled by existing police protection services. Operations of future development would increase human activity, resulting in an incrementally increased need for police protection services due to the increased potential for theft, vandalism, and other crimes (City of Fresno Redevelopment Agency 1998). However, design considerations for future development to be approved by the City would include security lighting, call boxes, and other required security measures, which would reduce the potential for crime (City of Fresno Redevelopment Agency 1998). Additionally, the removal of blighted conditions as a result of the Project is anticipated to lower the number of current police calls within the Project Area (City of Fresno Redevelopment Agency 1998). Future development would also be required to adhere to current and future General Plan policies and objectives related to police protection services designed to maintain acceptable service ratios and response times (City of Fresno 2002). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact on police services. Therefore, no analysis is required in the Subsequent EIR.

Schools

Future residential development within the Project Area would increase the number of school-age children that would require school services (City of Fresno Redevelopment Agency 1998). Other future development (e.g., commercial and industrial) could indirectly generate school-age children within the greater Fresno area due to job opportunities created that may bring workers into the area with school-age children that would require school services (City of Fresno Redevelopment Agency 1998). All future development would be required to pay the affected school district's developer fees in accordance with Section 17620 of the State Education Code, and the Agency would assist affected schools with their planning for school service impacts as a result of future development (City of Fresno

Redevelopment Agency 1998). Due to the fact that the Agency receives the tax increment generated by future development, and because this would otherwise result in fiscal effects to affected school districts, the CRL requires the Agency to make mandatory payments to affected taxing entities to offset lost tax revenues, including schools (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Parks

Park and recreational areas would need to be provided within the Project Area in accordance with the City's Park Master Plan (City of Fresno Redevelopment Agency 1998). The list of proposed improvements for the Jefferson Constituent Project Area includes the provision of park and open space along the Santa Fe Railroad Line in accordance with the Central Area Community Plan (City of Fresno Redevelopment Agency 1998). The 1998 EIR concluded that compliance with the City's Park Master Plan would result in less-than-significant impacts to parks as a result of the future development in the Project Area. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Other Facilities

The demand for emergency services would incrementally increase as a result of future development as a result of increased human activities in the Project Area (City of Fresno Redevelopment Agency 1998). However, the 1998 EIR determined that emergency service providers have adequate capacity to accommodate future development without affecting response times (City of Fresno Redevelopment Agency 1998).

Due to the fact that the Agency collects a tax increment from future development, and because this would result in fiscal effects to a number of other public services such as library, flood control, and vector control, CRL requires the Agency to make mandatory payments to these affected taxing entities to offset lost tax revenues (City of Fresno Redevelopment Agency 1998). The amount of the payment allocated to a taxing entity within the Project Area is established by CRL (City of Fresno Redevelopment Agency 1998).

No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XIV. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-Than-Significant Impact.** As discussed in XII.a, the 1998 EIR concludes that future development may result in small population gains in the Project Area due to the construction of new housing units, which would result in the increased use of existing neighborhood and regional parks. However, as discussed in XIII.a, park and recreational areas would need to be provided within the Project Area in accordance with the City’s Park Master Plan, and compliance with this plan would result in less-than-significant impacts to parks as a result of the future development in the Project Area (City of Fresno Redevelopment Agency 1998). Through the collection of park entrance fees and current and future property tax (including tax from future development), the City funds the maintenance of park facilities. By complying with the City’s Park Master Plan and by the collecting entrance fees and taxes on future development for park maintenance, the impacts are not new or more severe than in 1998. Therefore, the Project would not require further analysis in the Subsequent EIR.

b. **Less-Than-Significant Impact.** As discussed in XIII.a, park and recreational areas would need to be provided within the Project Area in accordance with the City’s Park Master Plan (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact due to the construction and operation of new park facilities. Therefore, no analysis is required in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **Less-Than-Significant Impact.** Transportation planning within the Project Area is the responsibility of the City, Caltrans, Fresno County, and the Fresno Council of Governments (Fresno COG). Future development may entail abandonment and/or realignment of certain streets, alleys, or other right-of-ways. Any changes in the Project Area’s existing circulation system would have to comply with the current General Plan and future updates, objectives of the applicable Constituent Redevelopment Plan(s), applicable community plans or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards.

The *Central Area Community Plan (CACP)* (City of Fresno 1989) is the primary community plan for most of the Project Area. The community plans that govern the South Van Ness Industrial Constituent Project Area are the

Roosevelt Community Plan (City of Fresno 1992) and Edison Community Plan (City of Fresno 1977).

The “Transportation, Circulation and Parking” chapter of the CACP includes goals, policies, and implementation actions for the development of a comprehensive transportation system to accommodate a greater range of customers with many transportation modes in an efficient and effective manner (City of Fresno 1989). The transportation/traffic goal of the CACP is to “provide a balanced, effective, comprehensive transportation system to accommodate growth and enhance the vitality and livability of the Central Area” (City of Fresno 1989). In order to effectuate this goal, the CACP includes the following policies:

- Policy 1: Identify, maintain, and improve major “gateway” routes and intersections which serve the Central Area and local, regional, and state transportation systems.
- Policy 2: Enhance access to specific activity centers through a variety of transportation modes and facilities.
- Policy 3: Establish a comprehensive transportation system which interconnects major activity districts within the Central Area to other activity areas in the City, such as the Fresno Air Terminal, California State University Fresno, Fresno City College, and Roeding Park and which places a higher priority upon development opportunities and the pedestrian environment than upon optimizing the vehicular capacity of the major street system.
- Policy 4: Develop “on” and “off” street parking which is adequate safe, and convenient to accommodate the requirements of the activity centers.
- Policy 5: Provide a comprehensive pedestrian system for the Central Area that provides visual and physical amenities to link activity centers and districts.
- Policy 6: Provide a comprehensive bikeway system to link activity centers and districts.

To execute these policies, the CACP lists implementation actions that include providing functional and aesthetic development standards that identify major gateway routes and intersections, developing a circulation system that links major activity centers, installing effective and attractive signage, identifying parking demands, establishing pedestrian access routes, and developing an alternative mass transit system. The CACP also lists the following additional implementation actions: develop a transportation plan, identify financial alternatives and funding sources, develop a multi-modal transportation center, establish a master parking plan and management program, develop standards to allow temporary surface parking on underutilized or

undeveloped properties, develop a conceptual pedestrian system, and establish a program to monitor new developments to integrate pedestrian needs and provide appropriate improvements. The CACP implementation actions also include formulating bikeway system development standards, providing secure bicycle parking and storage, and developing a bicycle route system.

Similar to the CACP, the Roosevelt Community Plan and Edison Community Plan also provide goals, policies, and implementation measures very similar to the CACP to provide for a comprehensive transportation system that includes ample parking and adequate and integrated pedestrian, bikeway, and multi-modal systems.

In the Central Business District Constituent Project Area, the development of the Chukchansi Park in 2002 resulted in the removal of the South Broadway Diagonal collector street, and the development of the Internal Revenue Service Compliance Center in 2004 resulted in the removal of the North Broadway Diagonal collector street. In the Jefferson Constituent Project Area, the development of the Regional Medical Center in 2004 resulted in the removal of a portion of the Divisadero collector street. However, these changes to the circulation system are consistent with the current General Plan, objectives of the applicable Constituent Redevelopment Plan(s), the applicable community plan or other future plans, and City design standards. Although, these topics were not analyzed in the 1998 EIR, these changes were intended to reduce traffic congestion within the Project Area and were done in compliance with applicable plans, strategies, and standards. Therefore, the Project would not result in a new or more severe impact as a result of these changes.

The Project would result in intensification of land uses within the Project Area, which would produce additional vehicular movements over the existing condition. The 1998 EIR concludes that the short-term, construction-related traffic effects as a result of future development would be less than significant by complying with established City and Agency procedures that call for the coordination of construction plans, temporary street closures, and detour plans with affected agencies as well as notification of users (City of Fresno Redevelopment Agency 1998). The 1998 EIR concluded that long-term traffic impacts would be reduced with the implementation of improvements outlined in the Constituent Redevelopment Plans (City of Fresno Redevelopment Agency 1998). Funding for traffic improvements come from street improvements required for property development permits, locally-generated general fund tax revenues (including redevelopment tax increment funds), locally-established transportation fund taxes, and state and federal gas tax funds. Compliance with the Constituent Redevelopment Plans coupled with implementing improvements in conformance with the current General Plan and applicable community plans or other future plans, and paid for by the various mechanisms described above, would reduce long-term traffic impacts as a result of future development in the Project Area to a less-than-significant level. The 1998 EIR concludes that even with sufficient mitigation for the long-term, the

contribution of future development within the Project Area would result in a significant and unavoidable cumulative traffic impact due to the decline in level of service (LOS) at several freeway interchanges that serve the Project Area (City of Fresno Redevelopment Agency 1998). The cumulative impacts of the Project were disclosed in the 1998 EIR and have not changed; therefore, the Project would not result in a new or more severe impact as a result of these changes. Impacts would be less than significant.

- b. **Less-Than-Significant Impact.** As discussed in XV.a, by complying with applicable plans, strategies, and standards, future development in the Project Area would not significantly impact traffic, and therefore related LOS, during the construction and operational periods, but it would result in a significant and unavoidable cumulative traffic impact due to the decline of LOS as several freeway interchanges that serve the Project Area. However, the cumulative significance of this impact was disclosed in the 1998 EIR; therefore, the Project would not result in a new or more severe impact in this area.
- c. **No Impact.** As discussed in VII.e, the western edge of the Project Area is located within the Airport Plan area, but given the modest size of the airport and because the Project Area is sufficiently away from it, future development would not result in building heights in close proximity that could affect landing and takeoff approaches. Also, the majority of the land in the affected (45 acres) has been largely built up prior to 1998 and therefore is generally consistent with the Airport Plan requirements. Only a minor portion of the 45 acres, between Fresno and Kern Streets, would likely be candidates for redevelopment for new residential uses under the mixed-use designation. Additionally, the Project would not appreciably increase population (see XII.a above) that would result in a significant increase in air traffic levels, and the project would not require the airport to change locations. Discussions about airport hazards and airport-related noise have been discussed above. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** Future development would be required to comply with Caltrans and/or City road design standards, which would ensure that hazardous design features would not occur. Future development would also remove existing hazardous road conditions in order to be compliant with these standards. The proposed area is urban and does not include adjacent land uses (e.g., farmland) that would be incompatible with urban traffic conditions. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- e. **No Impact.** Future development would be required to comply with City of Fresno Fire Department standards for adequate emergency access. Future development would also assist in removing currently inadequate access points within the Project Area in order to be compliant with these standards. No substantive changes have occurred since certification of the 1998 EIR

indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- f. **Less-Than-Significant Impact.** The 1998 EIR concluded that the long-term traffic effects of redevelopment in the Project Area, including provision for public parking, are less than significant (City of Fresno Redevelopment Agency 1998). As discussed in XV.a, future development would have to comply with the current General Plan and future updates, objectives of the applicable Constituent Redevelopment Plan(s), applicable community plans or other future adopted plans, and City design standards, including requirements to provide adequate parking. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe parking impact. Therefore, no analysis is required in the Subsequent EIR.
- g. **No Impact.** As discussed in XV.a, any changes in the Project Area's existing circulation system would have to comply with the current General Plan, objectives of the applicable Constituent Redevelopment Plan, or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards. Agency-allowed redevelopment activities include alternative transportation improvements projects, such as streetscape improvements, street lights, pedestrian walkways, bridges, sidewalks, traffic signals, utility undergrounding, bicycle paths, street medians, trails, and trolley crossings. These allowed improvements would support alternative transportation in the area. The Project would extend redevelopment tools and funding to provide assistance in implementing City strategies and policies found in the current General Plan or other future adopted plans to improve pedestrian, bicycle, and transit access in the Project Area. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS.					
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider that 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **Less-Than-Significant Impact.** Future development within the Project Area would generate additional wastewater that would need to be treated before properly disposed or recycled. This wastewater water would be treated at the Fresno/Clovis Regional Water Reclamation Facility in accordance with specific effluent water quality requirements specified in the CVRWQCB's Tulare Lake Basin Plan, the WDR order (Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Water Resources Control Board [SWRCB], May 2, 2006), and in compliance with California Code of Regulations (CCR) Title 22 requirements for recycled water quality. By law, the facility must comply with CVRWQCB, SWRCB, and CCR requirements or make improvements

and pay fines if found to be out of compliance. In the *Sewer System Management Plan*, the City has developed a comprehensive strategy to address necessary improvements within the existing wastewater distribution system in order to ensure applicable wastewater treatment requirements are met (City of Fresno 2009b). Water quality requirements in these documents are more stringent than requirements placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- b. **Potentially Significant Impact.** The 1998 EIR acknowledges that sections of the wastewater distribution system (sewer system) are antiquated and in need of repair or replacement (City of Fresno Redevelopment Agency 1998). As described in the 1998 EIR, although the trunk sewer lines that serve the Project Area have been completed and are adequate in capacity to accommodate planned land uses, there are deficiencies in the sewer main system that serves the area (City of Fresno Redevelopment Agency 1998). These deficiencies are found in the Fulton Constituent Project Area where several of the sewer lines still in use were installed in the 1880s and the majority of the branch sewer lines have not been upgraded since the 1920s and therefore are in need of replacement (City of Fresno Redevelopment Agency 1998). Major sections of the sewer system in the Fulton Constituent Project Area would not be able to support planned land uses as a result of the Project (City of Fresno Redevelopment Agency 1998). The sewer system in the South Van Ness Industrial Constituent Project Area is also antiquated and is undersized with respect to the area's industrial land use designation (City of Fresno Redevelopment Agency 1998). The majority of the South Van Ness Industrial sewer system was constructed in a piecemeal fashion in response to the small pattern of parcels and residential uses, and some of the industrial sites and older residential lots are not connected to the City's sewer system and are still maintained through onsite septic systems (City of Fresno Redevelopment Agency 1998). Additionally, the City's recent *Sewer System Management Plan* includes a number of necessary rehabilitation and capacity upgrade sewer system projects that are necessary in the Project Area (City of Fresno 2009b). Because the *Sewer System Management Plan* was prepared after certification of the 1998 EIR, these upgrades were not analyzed in the 1998 EIR and therefore may result in new or more severe impacts. This issue will be further discussed in the Subsequent EIR.

Please note that, unlike potable water, wastewater impacts are primarily the product of the capacity and condition of the conveyance facilities as well as the treatment plant's capacity rather than the availability of the water supply (see XVI.d for more information about water supply). Unlike water supply, where future development would either have to comply with the UWMP or be required to have sufficient water supplies for implementation during the site review process, wastewater adequacy does not have a project-level discretionary process that ensures that sufficient facilities are present prior to development. The *Sewer System Management Plan* is the City's planning document to address and prioritize current and future wastewater capacity and conveyance needs. As discussed above, the *Sewer System Management*

Plan was prepared after certification of the 1998 EIR and therefore may result in new or more severe impacts, which must be discussed in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment Agency 1998). The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion; any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VI.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance over 1 acre. Adherence to the Statewide General Construction NPDES permit requires that the applicant develop and implement a SWPPP. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis of this issue is required in the Subsequent EIR. As discussed in VI.b and VIII.e, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). Therefore, the Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. However, this was contemplated in the 1998 EIR, and no substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- d. **Potentially Significant Impact.** As discussed in VIII.b, future mixed-use development or development with water features, excessive landscaping, or over densification within the Project Area could increase the use of potable water beyond what was allocated in the UWMP. Additionally, the Project includes expiration dates for redevelopment within the Convention Center (1/12/35), Jefferson (12/18/37), and Chinatown Expanded Constituent Project Areas (1/28/38) that are beyond the 2030 date analyzed in the UWMP, and therefore, water supply has not been analyzed for these Constituent Project Areas beyond 2030. This issue will be further evaluated in the Subsequent EIR.
- e. **Potentially Significant Impact.** See response to XVI.b. As set forth therein, the Project may result in a determination by the wastewater treatment provider that serves or may serve the Project that it does not have adequate

capacity to serve the Project's projected demand in addition to the provider's existing commitments. This issue will be further evaluated in the Subsequent EIR.

- f. **Less-Than-Significant Impact.** Future development would increase the amount of solid waste generated in the City but was determined to be less than significant in the 1998 EIR (City of Fresno Redevelopment Agency 1998). Mitigation has been adopted by the current General Plan that requires adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of solid waste for existing and planned development within the City (City of Fresno 2002). In order to effectuate the General Plan mandate, the City has recently adopted industrial, commercial, and multifamily recycling requirements as well as construction recycling requirements outlined in the City's *Zero Waste Strategic Action Plan* (City of Fresno 2008b). This plan's purpose is to achieve 75% diversion by 2012 and zero-waste status by 2025 (City of Fresno 2008b). Future development's compliance with the action plan would allow future development to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The requirements in the City's *Zero Waste Strategic Action Plan* are more stringent than the requirements placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- g. **Less-Than-Significant Impact.** As discussed in the 1998 EIR, future development would comply with all local, state, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal (City of Fresno Redevelopment Agency 1998). Future development would also comply with all local, state, and federal requirements hazardous wastes or materials that require special disposal; see Hazards and Hazardous materials above for more information. Therefore, the Project would comply with federal, state, and local statutes and regulations related to solid waste. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
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, substantially 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. **Potentially Significant Impact.** As discussed in Biological Resources above, there is no change to the Project or its circumstances, nor new information that the Project would result in a new or more severe impact (compared to those discussed in the 1998 EIR) that would 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal because there are no native habitats or wetlands within the Project Area. Therefore, the lack of suitable habitat, significant disturbance in the Project Area, and unsuitable hydrology or other critical resources precludes rare or endangered plants or animals. The Project would also not eliminate important examples of the major periods of California prehistory because the Project Area does not contain any known archaeological or paleontological resources, and appropriate mitigation is in place in the event that previously unknown resources are discovered (see V.b and V.c). However, as discussed in V.a, the Project Area contains numerous historic

structures that may be listed or found eligible for the Local Register, California Historic Register, and/or National Register of Historic Places. This issue will be further addressed in the Subsequent EIR.

- b. **Potentially Significant Impact.** As discussed in Air Quality and Noise, the 1998 EIR acknowledges that the Project would result in cumulatively considerable air quality and noise impacts. These issues will be further addressed in the Subsequent EIR.
- c. **Potentially Significant Impact.** As discussed above, the Project could cause substantial adverse air quality, historic resources, water supply, noise, and utilities/service systems effects on human beings, either directly or indirectly. These issues will be further addressed in the Subsequent EIR.

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Appendix A
**Preliminary Report for the
Amendments to the Merger No.1**

Appendix A is located on the attached CD.

Appendix B
Preliminary Report for the
Amendments to the Merger No. 1

**PRELIMINARY REPORT
FOR THE
AMENDMENTS TO THE MERGER NO. 1**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

July 21, 2008

**PRELIMINARY REPORT
FOR THE
AMENDMENTS TO THE MERGER NO. 1**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

July 21, 2008

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**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
CONSTITUENT REDEVELOPMENT PLANS
FOR THE
MERGER NO. 1 REDEVELOPMENT PROJECT**

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DEFINITIONS

"1998 Report" means the *Report to City Council for the Merger of the Central Area Redevelopment Plans (Merger No. 1)* prepared by Keyser Marston Associates, Inc., dated May 1998.

"Agency" means the Fresno Redevelopment Agency or the Redevelopment Agency of the City of Fresno.

"City Council" means the City Council of the City of Fresno.

"Constituent Plans" means the ten Redevelopment Plans for the Redevelopment Project Areas that are within the boundaries of the Merger No. 1 Project Area.

"Constituent Project Areas" means the ten Redevelopment Project Areas that are within the boundaries of Merger No. 1 Project Area.

"CRL" means the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.*

"DOF" means the California Department of Finance.

"DTIS" means the *Downtown Transportation and Infrastructure Study* prepared by Wilbur Smith Associates, dated October 2007.

"HCD" means the California Department of Housing and Community Development.

"Housing Authority" means the Housing Authority of the City and County of Fresno.

"Planning Commission" means the Planning Commission of the City of Fresno.

"Project Area" means the Merger No. 1 Project Area, also referred to as the "Central Area Merged Redevelopment Project."

**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
CONSTITUENT REDEVELOPMENT PLANS
FOR THE MERGER NO. 1 REDEVELOPMENT PROJECT**

I. INTRODUCTION

This Preliminary Report for the proposed adoption of amendments to the Constituent Plans for the Merger No. 1 Redevelopment Project has been prepared for the Agency pursuant to Sections 33333.11(e) and 33344.5 of the CRL. As discussed in Section II of this Report, the purpose of the proposed Amendments is to extend the Agency's ability to use eminent domain to acquire property within the Merger No. 1 Project Areas (excluding properties on which persons lawfully reside); streamline the redevelopment land use plan of some of the constituent redevelopment plans to remove details and substitute the City's General Plan, community plans, and specific plans as the redevelopment land use plan; and to amend specific time and financial limits for some of the Constituent Plans. These Amendments would enable the Agency to continue implementing its program of blight elimination within the Merger No. 1 Project Area.

As part of the process of amending the Plans, the CRL requires that specific information be provided to taxing agencies and officials ("affected taxing entities"), the California, and the HCD prior to the adoption of the proposed Amendments. Included in this Report are the required contents organized in accordance with Section 33333.11(e) of the CRL.¹ The required contents of the Preliminary Report and the location of each required element in this Report are outlined in Table 1 on the following page.

The Project Area was created in 1998 by the merger of ten (10) redevelopment projects. The ten Constituent Project Areas and the year of adoption for each are as follows:

- Central Business District (CBD) (1961)
- Chinatown Expanded (1965/1986)
- Convention Center (1982)
- Fulton (1998)
- Jefferson (1984)
- Mariposa (1969)
- South Van Ness Industrial (1998)
- West Fresno I (1964)
- West Fresno II (1963)
- West Fresno III (1969)

¹ Per Section 33354.6(a) of the CRL, the Agency is following the same procedures that would be followed for the adoption of a new redevelopment plan. However, this Report does not contain the analysis of urbanization of the Project Area per Section 33344.5(c) because the Constituent Project Areas were determined to be urbanized at the time of their respective adoption. The Agency is not proposing to add new territory to the Project Area and therefore, an analysis of urbanization is not required.

Table 1: Organization and Contents of the Preliminary Report

CRL SECTION NO.	SUBDIVISION	REPORT SECTION
33333.11(e)(1)	A map of the Project Area that identifies the portion, if any, of the Project Area that is no longer blighted, the portion of the Project Area that is blighted, and the portions of the Project Area that contain necessary and essential parcels for the elimination of the remaining blight.	V
33333.11(w)(2)	A description of the remaining blight.	IV
33333.11(e)(3)	A description of the projects or programs proposed to eliminate the remaining blight.	VI
33333.11(e)(4)	A description of how the projects or programs will improve the conditions of blight.	VI
33333.11(e)(5)	The reasons why the projects or programs cannot be completed without extending the time limits on the effectiveness of the plan and receipt of tax increment revenues.	VI
33333.11(e)(6)	The proposed method of financing these projects or programs. This includes the amount of tax increment revenues that is projected to be generated during the period of the extension, including amounts to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to affected taxing entities.	VII
33333.11(e)(7)	An amendment to the Agency's implementation plan that includes but is not limited to, the Agency's housing responsibilities pursuant to Section 33480.	VIII
33333.11(e)(8)	A new neighborhood impact report as required by subdivision (m) of CRL Section 33352.	IX
33333.11(e)(9)	A description of each bond sold by the Agency to finance or refinance the Projects prior to six months before the date of adoption of the proposed Amendments, and listing for each bond of the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.	X

By merging the Constituent Project Areas in 1998, the Agency has had greater flexibility in using its financial resources and has been better able to carry out a program of redevelopment and revitalization in the City's central core area on a comprehensive basis. Redevelopment projects and programs have been some of the key tools for implementing the goals and objectives for the City's core as envisioned in the *Central Area Community Plan*, the boundaries of which are coterminous with the Project Area boundary to a significant degree² and which are defined by the 180 Freeway on the north, the 41 Freeway to the east, and the 99 Freeway to the south and west. One of the constituent plans, the South Van Ness Industrial Area is located within the boundaries of the *Roosevelt Community Plan*, which was adopted in 1992. The *Roosevelt Community Plan* contains 19 subject elements, and continues to provide a strong framework for future planning for the South Van Ness Industrial Area.

² The Project Area differs from the Central Area Community Plan area in that the Lowell neighborhood and the Blackstone/Abby Commercial Corridor are excluded and the South Van Ness Industrial area is included within its boundaries. The Lowell neighborhood is included in the Freeway 99/Golden State Boulevard Project Area. The Blackstone/Abby Commercial Area is included in the Central City Commercial Revitalization Project Area. The South Van Ness Industrial Area is east of the 41 Freeway and is therefore adjacent to but outside of the Central Area.

II. REASONS FOR AMENDING THE REDEVELOPMENT PLANS FOR THE MERGED PROJECT AREA

A. THE PROPOSED AMENDMENTS

The Agency proposes to amend the time and financial limits for several of the Constituent Redevelopment Plans for the Project Area as follows:

- Increase the tax increment limits³ for the CBD, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I and West Fresno II Constituent Plans;
- Increase the time limit on the effectiveness of the plan⁴ for all of the Constituent Plans except Fulton and South Van Ness Industrial;
- Increase the time limit to incur indebtedness⁵ for the Fulton and South Van Ness Industrial Constituent Plans;
- Increase the time limits to receive tax increment and repay bonded indebtedness⁶ for all of the Constituent Plans except Fulton and South Van Ness Industrial;
- Increase the time limit on the Agency's authority to utilize eminent domain in all of the Constituent Plans, except that the Agency will not have the authority to acquire by use of eminent domain any property on which persons lawfully reside in 6 of the Constituent Plans;⁷ and
- Add "Streamlining Amendments", i.e., amend the language of each Plan, except for Chinatown Expanded and Convention Center Area Constituent Plans, which have previously been amended, to ensure that the land use plan is consistent with the General Plan and any applicable specific or community plans, as those plans may be amended from time to time, for the CBD, Jefferson, Mariposa, West Fresno I, West Fresno II, West Fresno III, Fulton and South Van Ness Industrial areas.

The existing and proposed new time and financial limits are summarized in Figure 1.

³ The Fulton and South Van Ness Industrial areas are not required to have tax increment limits. The Agency is not proposing to increase the tax increment limit for West Fresno III.

⁴ The Fulton and South Van Ness Industrial areas are not eligible for increases in Plan duration.

⁵ Per the provisions of Section 33333.6(c)(2)(B) of the CRL, the time limit for establishing debt has been eliminated in all of the plans established prior to January 1, 1994.

⁶ The Fulton and South Van Ness Industrial areas are not eligible for increases in the time limit to receive tax increment and repay indebtedness.

⁷ In the Convention Center, Jefferson, and Mariposa areas, the ability to acquire properties by use of eminent domain will be limited to the specific properties identified in the Amendment.

**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Use Eminent Domain		Tax Increment Limit		Plan Expiration Date		Time Limit to Receive Tax Increment/ Repay Debt	
	Existing	Proposed ¹	Existing	Proposed	Existing ²	Proposed	Existing	Proposed
Central Business District (3/16/1961)	8/6/2010	+12 years ⁴	\$16 million	\$128 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Original (Former WFRD) ³ (7/22/1965)	8/6/2010	+12 years	See note 3		1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Expanded (1/29/1995)	8/6/2010	+12 years	\$32 million	\$128 million	1/29/2028	1/29/2038	1/29/2038	1/29/2048
Convention Center (1/12/1982)	8/6/2010	+12 years ⁵ 11/24/2017 ⁷	\$51 million	\$357 million	1/12/2025	1/12/2035	1/13/2035	1/12/2045
Fulton (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
Jefferson (12/18/1984)	1/18/2009	+12 years ⁵	\$235 million	\$470 million	12/18/2027	12/18/2037	12/18/2037	12/18/2047
Mariposa (1/14/1988)	8/6/2010	+12 years ⁵	\$50 million	\$150 million	1/14/2012	1/14/2022	1/14/2022	1/14/2032
South Van Ness Industrial (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
West Fresno I (10/1/1964)	8/6/2010	+12 years	\$9 million	\$27 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno II (12/19/1963)	8/6/2010	+12 years	\$60 million	\$120 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno III (1/14/1969)	8/6/2010	+12 years	\$ 8 million	No Change	1/14/2009	1/14/2019	1/15/2019	1/14/2029

NOTES

¹New time limit will be 12 years from effective date of ordinance adopting the Amendment

²Includes ERAF extensions

³Tax increment limit is for Chinatown Original and Chinatown Expanded combined

⁴Legally-occupied housing units will not be subject to acquisition by eminent domain

⁵Applicable to specific properties only. Legally-occupied housing units will not be subject to acquisition by eminent domain

⁶Applicable to specific properties only. 12 year extension for specific properties only. See Proposed Acquisition Map Update for Details.

⁷Applicable to specific properties where the 12 year extension was adopted in 2005. See Proposed Acquisition Map Update for Details.

**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Establish Debt		Bond Debt Limit		Land Use/Other Amendments
	Existing	Proposed	Existing	Proposed	
Central Business District (3/16/1981)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
Chinatown Original (Former WFRP) (7/22/1985)	Eliminated	NA	NA	NA	
Chinatown Expanded (01/28/1986)	Eliminated	NA	\$16 million	No Change	Revise acquisition map to include balance of Project Area.
Convention Center (1/12/1982)	Eliminated	NA	\$21 million	No Change	Revise acquisition map
Fulton (6/30/1998)	7/6/2018	7/6/2028	\$32 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
Jefferson (12/18/1984)	Eliminated	NA	\$99 million	No Change	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
Mangosa (1/14/1999)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
South Van Ness Industrial (6/30/1998)	7/6/2018	7/6/2028	\$111 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
West Fresno I (0/1/1984)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno II (2/18/1983)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno III (1/14/1989)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.

B. AGENCY GOALS AND OBJECTIVES

The Agency and the City are working together to implement a comprehensive economic development strategy to alleviate blighting conditions, create jobs, develop affordable housing and attract businesses to the downtown core. Redevelopment is one of several tools available to accomplish the goals of the City and the Agency.

As described in the 1996 Report, the general goals of the Agency for the Merger No. 1 Project Area include:

- The elimination and prevention of the spread of blight and deterioration throughout the project areas.
- The promotion of new and continuing private sector and government agency investment within the project areas to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the project areas.
- The expansion and improvement of the community's supply of housing (inside and outside of the Project Area) including opportunities for low and moderate income families and households.
- The elimination or amelioration of certain deficiencies such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public improvements, facilities and utilities deficiencies adversely affecting the project areas.⁸

C. CONTINUED NEED FOR AGENCY ASSISTANCE IN REDEVELOPING THE MERGED PROJECT AREA

Beginning in the late 1960s with the adoption of the original urban renewal projects in the downtown, the Agency has worked cooperatively with other City departments and the private sector to redevelop key properties in the Project Area. It was not until the creation of the new Fresno Redevelopment Agency in 1997 and the merger of the Constituent Project Areas in

⁸ *Five-Year AB 1290 Implementation Plans 2005 – 2010 (Fresno Air Terminal, Merger 1 and Merger 2):* Redevelopment Agency of the City of Fresno, pages 4-6.

1998, however, that the Agency was able to begin its focused and coordinated effort with City resources and the cooperation of the state and federal agencies housed in the Project Area to implement the comprehensive vision for revitalization encompassed in the *Central Area Community Plan* and the *Constituent Plans*. These efforts have also been supported by the creation in March 2002, of *Vision 2010*, a vision document for the downtown stakeholders to bring together a variety of development projects and revitalization efforts into a clear visual blueprint to guide resources and development in downtown. The area addressed in *Vision 2010* is bounded by the 99, 41, and 180 Freeways and thus represents the majority of the Merger No. 1 Project Area. Further supporting these efforts are the Federal Empowerment Zone and the State Enterprise Zone that both encompass the Project Area and both of which offer incentives to the private sector to invest in redeveloping the area and creating jobs and economic development in the process. Working cooperatively with the City, the Agency has been a key driving force and facilitator in revitalization efforts.

One of the key indicators of the importance of Agency participation in the redevelopment of the Project Area is the impact that such participation has had on building activity. Building permit data was obtained from the City and reviewed to identify the number of new construction, rehabilitation and additions/alteration projects (as represented by construction permits) and total value of permits⁹ that have been issued for major non-residential construction and development between 1996 and April 2008.

Table 2: Summary of Building Permit Activity 1996 – April 2008

Land Use	No. of Projects (Permits)	Total Permit Value	Value of Agency-Assisted Projects	Agency-Assisted as Percent of Total Permit Value
Office & Commercial	268	\$149,323,570	\$120,162,954	80%
Industrial	125	\$31,711,059	\$15,647,086	49%
Public/Quasi-Public	77	\$50,843,953	\$33,077,114	65%
Vacant*	30	\$4,078,779	\$0	-
Total	500	\$235,957,361	\$168,887,154	72%

Vacant represents properties for which permit(s) have been issued, but which remain vacant according to the City's land use data base.

Source: City of Fresno, Building and Safety Division

⁹ For purposes of this analysis, where multiple permits were issued at the same address, the permits were counted as one permit and the value of the separate permits were combined into one total permit value.

As shown on Table 2, a total of 500 projects were identified with a total permit value of just under \$236 million. These data would indicate that there has been a significant amount of redevelopment that has occurred in the Project Area. However, a closer examination of the data revealed that many of these projects were assisted by the Agency. Several of the projects were major development projects with which the Agency played a key role, such as assembling and clearing the site, or providing financial or other assistance to a private developer, the City or a state or federal entity. These development projects included:

- Chukchansi Park (Grizzlies Stadium)
- Guarantee Building Rehabilitation and construction of a 6-level parking garage for the IRS/INS
- IRS Compliance Center
- 1260 Fulton Mall office remodel and façade improvement
- Holiday Inn Hotel rehabilitation
- Convention Center parking garage
- Tower at the Convention Center Court
- Eaton Park Amphitheater
- Regional Medical Center expansion and parking structure
- Convention Center Exhibit Hall
- Civic Center Square office building and parking garage
- Foundry Park redevelopment projects
- IRS Storage Facility

As shown on Table 2, the Agency played a role in projects representing 72 percent of the permit value. Based on development within the Project Area in the past 12 years and the level of Agency participation, the Agency will need to continue to assist the private sector to facilitate development and eliminate blight.

III. PROJECT AREA DESCRIPTION

A. BOUNDARIES AND LAND USE

The Project Area is generally bounded by Divisadero Street and the 180 Freeway to the north, the 41 Freeway, East Street and the BNSF Railway right-of-way to the east, and Highway 99 to the west/southwest (see Figure 2). The Project Area includes the majority of the City's core or "Central Area" as defined in the *Central Area Community Plan* adopted in 1989. One of the constituent plans, the South Van Ness Industrial Area is located within the boundaries of the *Roosevelt Community Plan*, which was adopted in 1992.

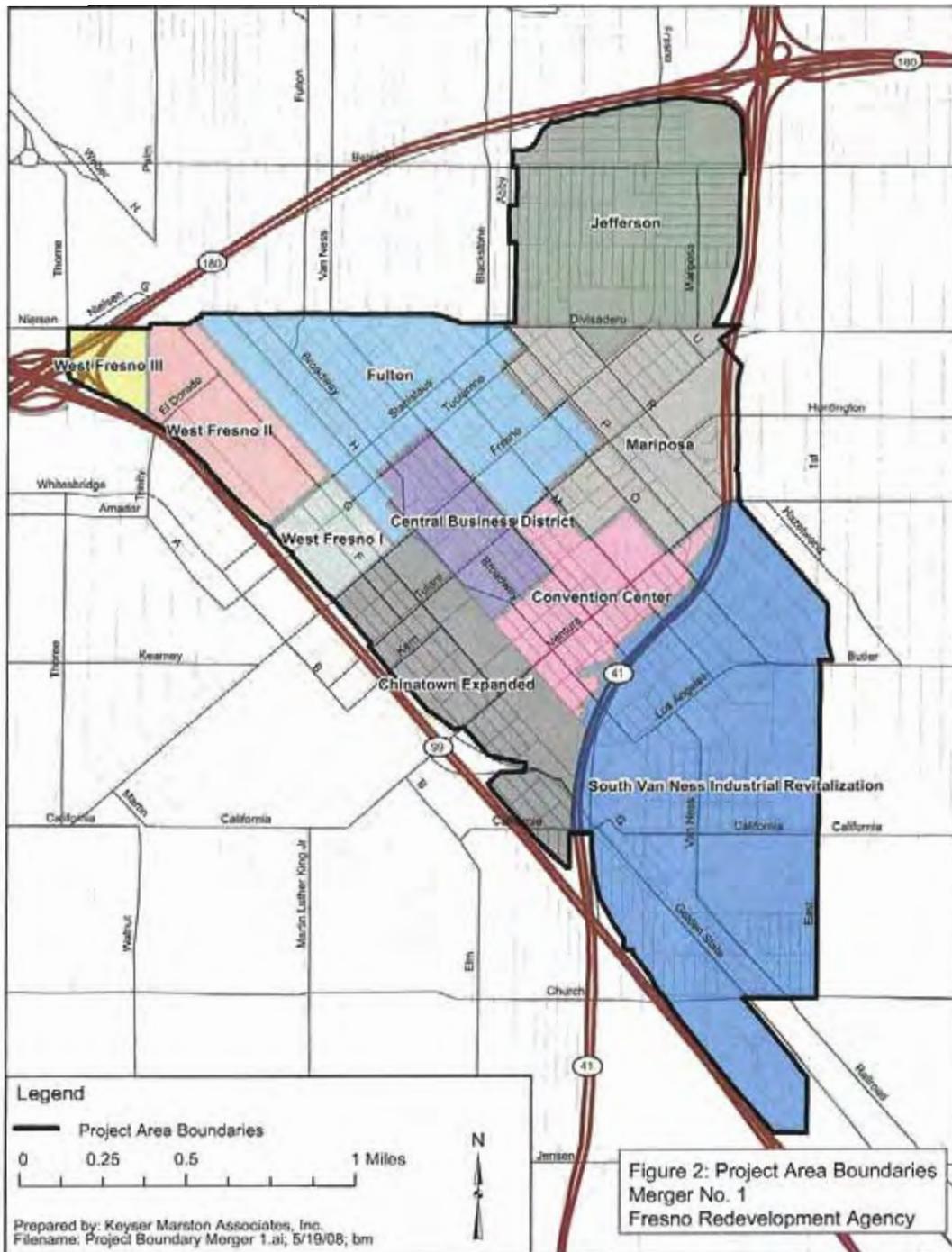
The Project Area includes a mix of land uses, though the predominant land uses (as measured by acreage) are industrial, public/quasi-public and commercial retail uses (see Figure 3). The Project Area includes the Regional Medical Center, which serves the entire Central San Joaquin Valley Region on its 58-acre campus, and many civic and governmental institutions. The City is not only the Fresno County seat, but is also the location of a federal courthouse and the Central California field offices for many federal and state government agencies. Most of the retail, office and public/quasi-public uses are located in the Fulton, Mariposa, CBD and Convention Center areas. The majority of industrial uses are located in the West Fresno II, West Fresno III and South Van Ness Industrial Project Areas. A significant portion (15 percent) of Project Area acreage is vacant land, located primarily in the Chinatown Expanded and in the West Fresno I, II, and III Project Areas.

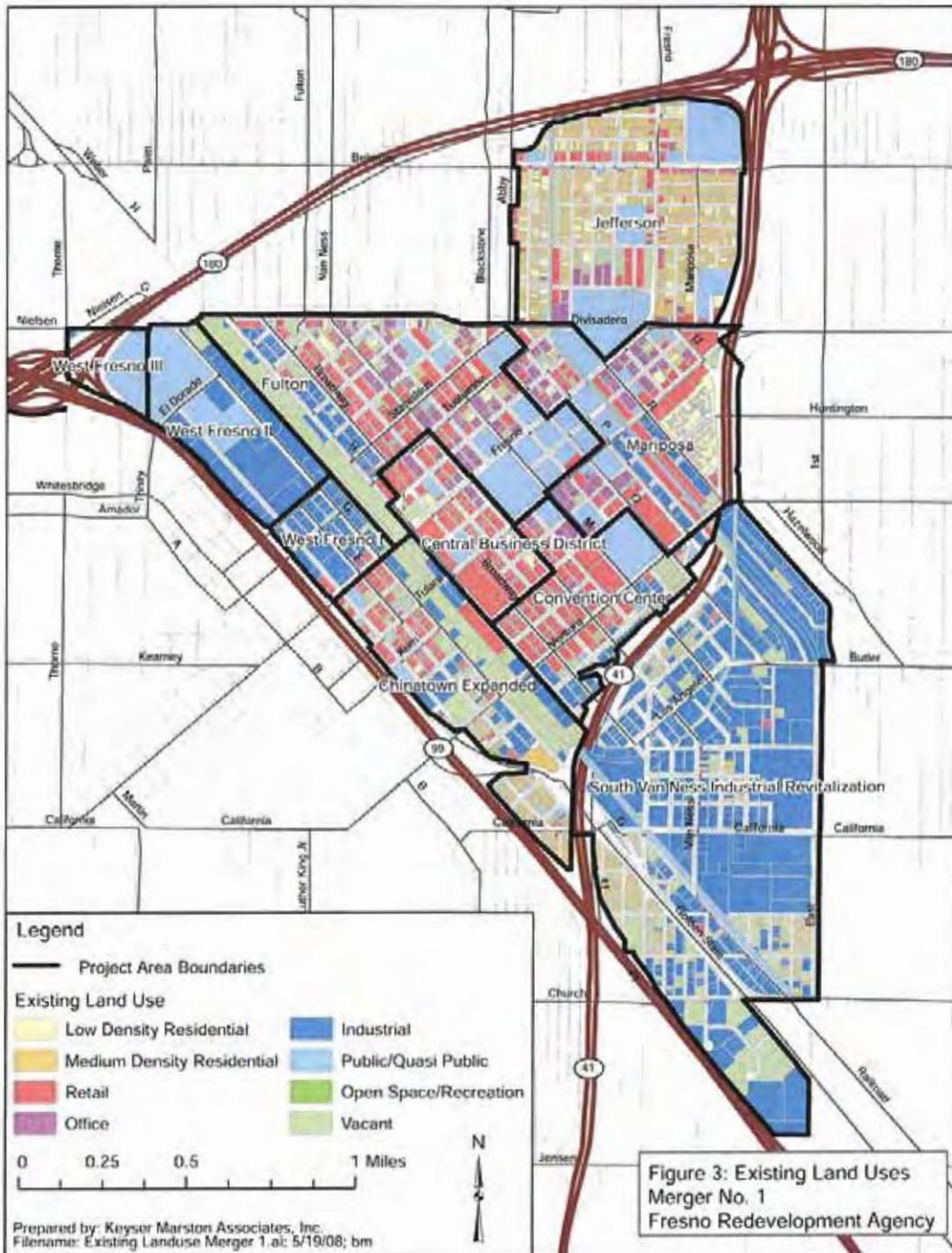
Table 3: Summary of Land Uses

	Parcels	% of Total	Acres	% of Total
Low Density Residential	342	12%	48.1	4%
High Density Residential	730	26%	110.3	8%
Commercial Retail	536	19%	222.5	17%
Commercial Office	148	5%	80.9	5%
Industrial	506	18%	443.5	33%
Public/Quasi-public	190	7%	241.2	18%
Open Space/Recreation	4	0%	1.4	0%
Vacant Property	401	14%	202.6	15%
TOTALS	2,855	100%	1320.5	100%

Acreage or percentages may not add due to rounding. Source: City of Fresno

The majority of residential units in the Project Area are located in the Jefferson and Mariposa areas, which are the two Constituent Project Areas that has significant areas planned for residential uses. The Chinatown Expanded, Convention Center and Fulton Areas include areas planned for mixed residential uses or allow such uses. The Chinatown Expanded, Convention





Center, Fulton and South Van Ness Industrial areas also contain non-conforming residential uses that can be maintained, but such residential uses cannot be expanded.

B. DEMOGRAPHICS AND GENERAL SOCIAL AND ECONOMIC CONDITIONS

A review of demographic data for the Project Area reveals that the 2007 estimated population is 10,671 persons in 2,215 households with an average household size of 3.26 persons (Table 4). As shown in Table 5, median household income and per capita income for the Project Area are less than half of the median income levels for the City of Fresno and Fresno County. While the overall population in the City and the County increased dramatically from 1990 to 2007 (by 32 percent and 35 percent, respectively), the Project Area experience a slight population decline by 3 percent.

Table 4: Population Characteristics

	Population		Percent Change	No. of Households	Average Household Size	Median Age
	1990	2007 (Est.)				
Merger No. 1 Project Area	10,974	10,671	-3%	4,215	3.26	28.78
City of Fresno	356,025	470,179	32%	151,560	3.04	29.67
Fresno County	667,588	903,351	35%	281,039	3.15	30.73

Source: Claritas

In the Project Area, 48 percent of families have incomes below the poverty level, versus only 20 percent of families in the City and 18 percent in Fresno County. The Project Area also has a much higher percentage of persons over the age of 25 with less than a high school diploma or equivalent, at 57 percent versus 30 percent for the City and 32 percent for Fresno County.

Table 5: Income and Educational Attainment

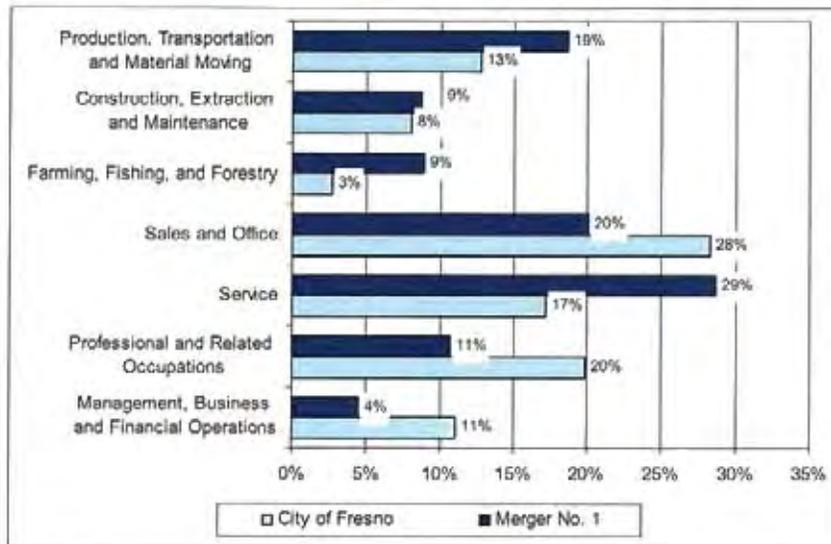
	Median Household Income	Per Capita Income	Percent of Families w/ Income Below Poverty Level	Pop. 16+ Percent Unemployed	Pop. 25+ With Less Than High School Diploma or Equivalent
Merger No. 1 Project Area	\$17,648	\$6,841	48%	9.5%	57%
City of Fresno	\$39,330	\$17,591	20%	6.6%	30%
Fresno County	\$42,885	\$18,472	18%	7.0%	32%

Source: Claritas

The majority of workers in the Project Area are employed in the Service Sector (29 percent), Sales and Office Sector (20 percent), and Production, Transportation and Materials Moving

Sector (19 percent). These three employment sectors account for 68 percent of employment in the Project Area, whereas they account for only 58 percent in the City overall. The Service Sector and the Production, Transportation and Material Moving Sectors both tend to have jobs with lower wages. While direct employment in the Farming, Fishing and Forestry Sector is a relatively low 9 percent in the Project Area, it is still three times the percentage of employment in the Farming, Fishing and Forestry Sector for the City overall. Further, agriculture continues to be a major component of the industry in the Fresno area. One estimate indicates that one in three jobs are related to agriculture, as a majority of the produce in America grown in the Central Valley and Fresno County is the number one agricultural county in the United States.¹⁰ In the industry sectors that tend to have higher wage jobs, i.e. Management, Business and Financial Operations, and Professional and Related Occupations, the Project Area accounts for 15 percent of employment versus 31 percent Citywide (see Figure 4). These data, in conjunction with the high percentage of families below the poverty level and lower levels of educational attainment and income are all indicative of the relatively low income levels in the Project Area.

Figure 4: Employment by Sector



Source: Claritas

¹⁰ Source: City-data.com, <http://www.city-data.com/us-cities/The-West/Fresno-Economy.html>

Home ownership levels within the Project Area are low relative to the City and the County. Of the 2,215 occupied housing units, 17 percent are owner occupied, versus home ownership levels of 51 percent of the residential units in the City and 57 percent in the County. These data indicate that there are a relatively high number of renters in the Project Area. The estimated median value of the owner-occupied units was low in the Project Area, at \$131,289 relative to the City and the County, at \$247,922 and \$266,317, respectively (see Table 6).

Table 6: Housing Unit Tenure and Estimated Median Value

	Total Occupied Housing Units	Renter-Occupied Units	Owner-Occupied Units	Percent Renter-Occupied Units	Percent Owner-Occupied Units	Owner-Occupied Median Value
Merger No. 1 Project Area	2,215	1,845	370	83%	17%	\$131,289
City of Fresno	151,560	73,516	78,044	48%	51%	\$247,922
Fresno County	281,039	119,942	161,097	43%	57%	\$266,317

Source: Cintas

Given the strong link between home ownership, asset building and household wealth,¹¹ these data, in conjunction with the low income levels, suggest that the ability of residents in the Project Area to purchase and/or reinvest in properties to alleviate blighting conditions is limited.

C. NUISANCES AND EVIDENCE OF DISINVESTMENT AND DISUSE

Despite the ongoing investment by the Agency, other government entities and the private sector, the blighting conditions and disinvestment that occurred over a period of years beginning prior to the 1960s has not yet been completely reversed and a significant portion of the Project Area remains blighted. In addition to a high number of vacant buildings and vacant lots, there are also a number of conditions prevalent in the Project Area that are indicative of the overall blighting conditions in the Project Area. While these conditions are not considered blighting conditions in the CRL, they are commonly-accepted as conditions that contribute to the general blight and unattractive appearance of communities and act as deterrents to investment in properties. These conditions include boarded up doors and windows, graffiti, weeds, litter, abandoned cars, dumping, and unpaved lots. While a few scattered and isolated incidents of these conditions may be commonly found in many stable communities, a large number of incidents of these types of conditions contribute to the blighted condition of a community. In the Project Area, these conditions were noted in the parcel-by-parcel survey of the Project Area

¹¹ There are numerous reports and articles that demonstrate the role and importance of asset accumulation in alleviating poverty and encouraging long-term planning and investment. For example, in 2002, the Chairman of the Federal Reserve Board stated that home ownership is one of the three principal means for household asset accumulation. Refer to Appendix 1 for a list of articles and reports referenced.

conducted in February 2008 (described in Section IV and Appendix 2). In total, at least 48 percent of the parcels in the Project Area were affected by at least one of these conditions (see Table 7).

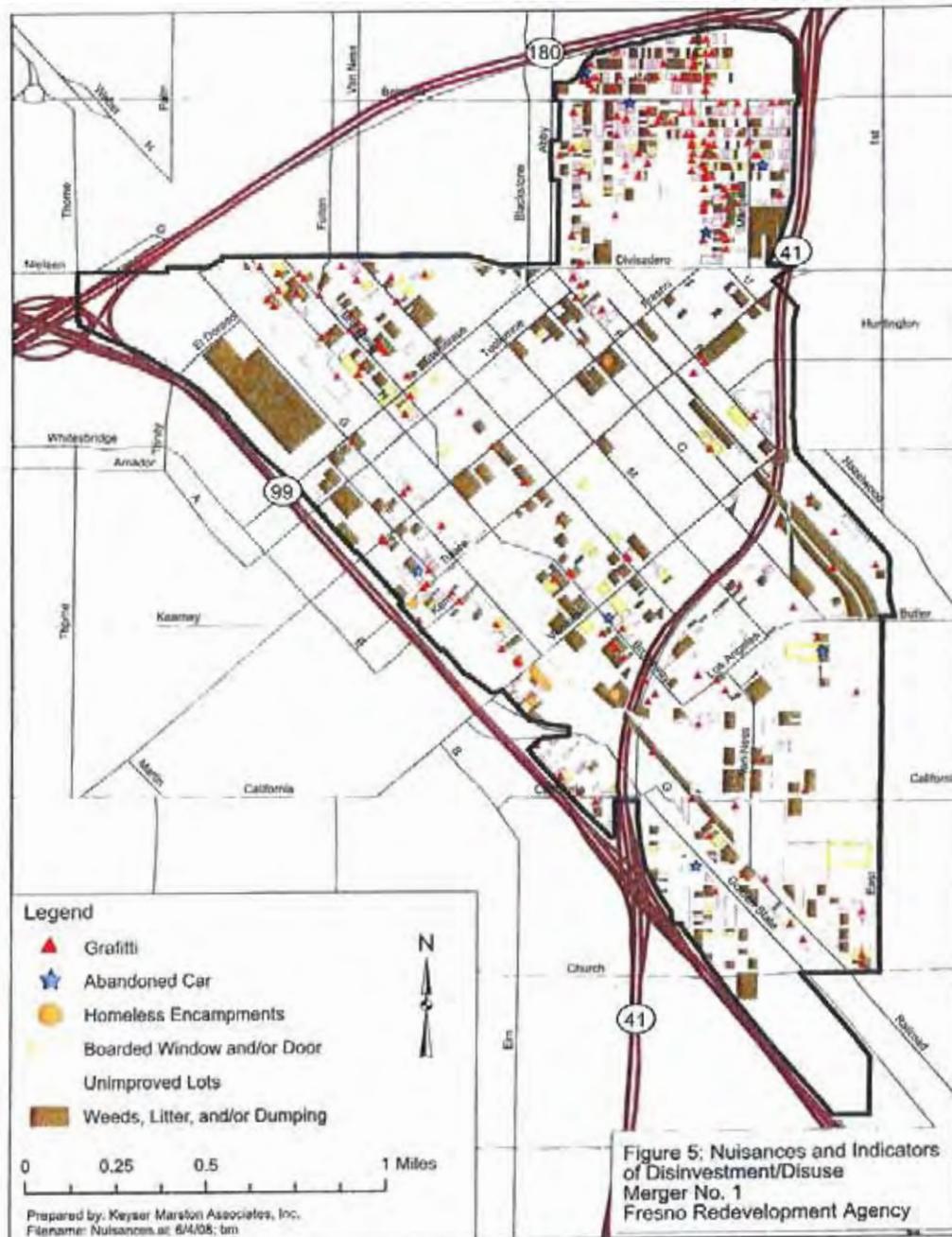
Table 7: Nuisances and Indicators of Disinvestment/Disuse

Condition	No. of Parcels	Percent of Parcels
Vacant Lots	501	18%
Boarded Windows	82	3%
Boarded Entry	29	1%
Litter	851	30%
Debris	166	6%
Dumping	59	2%
Graffiti	214	8%
Weeds	106	4%
Exposed Dirt/Unpaved Lots	487	17%
Abandoned Cars	9	0.3%
Homeless Encampments/Loitering	11	0.4%
Combined Total	1,359	48%

Source: 2008 Field Survey

In addition, the City is struggling to address a significant degree of homelessness that disproportionately affects the Project Area. The most visible homeless encampments in the City are located within the Project Area under Highway 41 near G Street in the Chinatown Expanded area. A large number of homeless persons were also observed in the area during the field survey. At the present time, the City does not have the resources to provide adequate shelter and food for the homeless. There are also private efforts to house and/or feed the homeless in the downtown area, including Poverello House and the Fresno Rescue Mission. The City has had to resort to providing portable toilets and a 24-hour security guard to serve the hundreds of people living under the overpasses or in the vicinity. These conditions are also deterrents to private investment in the area.

The locations of the various nuisance conditions observed during the field survey and homeless encampments are shown on Figure 5.



D. AGENCY ACCOMPLISHMENTS

In March of 2002, *Vision 2010*, a vision document for the downtown was completed. *Vision 2010* was a cooperative effort involving the Agency and downtown stakeholders to bring together a variety of development projects and revitalization efforts into a clear visual blueprint to guide resources and development in downtown. The area addressed in *Vision 2010* is bounded by the 99, 41 and 180 Freeways and thus represents the majority of the Merger No. 1 Project Area. Major projects that have been completed in the Project Area include:

- Ongoing development and expansion of the Community Regional Medical Center, a 58-acre multi-phased medical campus development, including a 340,000-square foot trauma and critical care center, new three-story parking garage, a 40,000-square foot power plant, remodel of the former Cornerstone Church into medical offices, and renovation of the historic "Eaton Flats" into office space. The \$250 million center offers a full-service emergency department, state-of-the-art radiology and cardiology departments, inpatient and outpatient surgery, dialysis, rehabilitation and cancer treatments.
- Construction of the new \$30 million, 82,000 square foot state-of-the-art Center for Medical Education and Research, which is the home of the UCSF Medical Education Program. The new 3-story facility will serve as the hub of medical education and research for the entire Central Valley. The facility has approximately 180 resident physicians in training and graduates about 60 per year, with over one-third remaining to practice in the Valley.
- Construction of Chukchansi Park, a new 12,500-seat stadium that is the home field for the Fresno Grizzlies AAA baseball team and Fresno Fuego soccer team. The facility is also a venue for concerts, international soccer meets, high school football and other community events. The \$48 million stadium hosts an estimated 900,000 patrons a year and employs 41 full-time employees and 475 seasonal employees.
- Construction of a new eight-story, 400,000 square foot Federal Courthouse. The \$130 million facility consists of a total of fourteen District, Magistrate, Bankruptcy and Special Proceedings courtrooms as well as office space for the courts, US Attorneys, US Marshals, and Probation.
- Construction of a new four-story, (\$26 million) Convention Center Parking Garage, which accommodates 1,575 parking spaces.
- Construction of a new \$48 million, 11-story Tower at the Convention Center and seven-story, 900 space parking garage.

- Construction of the \$18 million, 107,200 square foot Aardex Building with 120 parking spaces.
- The \$35.6 million Civic Center Square project, which provides over 225,000 square feet of Class A office and retail space, and is located in a bustling six-block development in the hub of Fresno's downtown business district.
- The renovation of the Guarantee Building includes 89,000 square feet of office space and an adjacent six-story 624 space parking garage with an estimated value of \$18 million.
- Construction of the \$23 million State Fifth District Court of Appeals building.
- Construction of the six-story, \$35 million IRS Compliance Center that includes 178,000 square feet of office space and an 800-space parking garage.
- The \$2.5 million rehabilitation of the 103-year-old Hobbs Parsons Building that will serve as the new headquarters of the Fresno Fire Department. A portion of the building is set aside for use as a Fire Department Museum.
- Construction of the \$10 million Vagabond Lofts mixed-use project combining 38 residences with small retail shops.
- A 26,000 square foot banquet facility that was renovated as the "M" Street Civil Courthouse. The \$3 million courthouse accommodates five courtrooms and on-site parking.
- The \$10 million renovation of the Santa Fe Depot, including the creation of an additional 150 spaces of surface parking.

The Agency has played a critical role in many of the projects, including site assembly, financial assistance, and providing on- and off-site public improvements. While the Agency has made significant progress in achieving the goals of the Redevelopment Plan in alleviating blight, there are areas where significant blight remains. Portions of the Project Area are negatively impacted by blighting conditions such as deteriorated and dilapidated buildings, buildings that have been abandoned or vacant for years, an excessive number of vacant lots, depreciated property values, low lease rates, an excess of adult uses, and a high crime rate.

IV. SIGNIFICANT REMAINING BLIGHT

A. AMENDMENT PROCEDURES AND REQUIRED FINDINGS

Section 33457.1 of the CRL provides that "[t]o the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to the redevelopment plan shall contain the findings required by Section 33367..." Therefore, because the Agency is not adding territory or adopting a new project area, the Agency will follow applicable provisions, to the extent warranted, of CRL Sections 33320.1, *et seq.* and 33450, *et seq.*, pursuant to Section 33457.1. Specifically, the Agency will not have to adopt a survey area or amend the Preliminary Plan or declare a base year, which are required actions for the adoption of a new project area or the addition of territory.

1. Requirements to Extend Plan Duration, Amend Tax Increment Limit, or Extend the Time Limits to Establish Indebtedness Contained in CRL Section 33354.6

Per Section 33354.6 of the CRL, when a redevelopment agency proposes to amend a redevelopment plan that utilizes tax increment financing to increase either the limitation on the number of dollars to be allocated to the agency (the tax increment limit) or the time limit on the establishing of loans, advances, and indebtedness, or lengthen the period during which the redevelopment plan is effective, the agency must follow the same procedure, and the legislative body is subject to the same restrictions as provided for Article 4 of the CRL for the adoption of a redevelopment plan.

In addition, per Section 33354.6(b), if the agency proposes to increase the tax increment limit, the agency must describe and identify, in the report to the legislative body, the remaining blight within the project area; identify the portion, if any, that is no longer blighted; the projects that are required to be completed to eradicate the remaining blight and the relationship between the costs of those projects and the amount of increase in the number of dollars to be allocated to the agency.

Therefore, because the Agency desires to increase the tax increment limits, extend plan duration, and extend the time limits for the establishment of debt for the Constituent Plans as described in Section II, the information required by Section 33354.6(b) is contained herein.

2. Requirements to Extend Plan Duration, and Time Limit for the Receipt of Tax Increment and the Repayment of Bonded Indebtedness Contained in CRL Section 33333.11.

Per CRL Section 33333.10, for redevelopment plans adopted on or before December 31, 1993, a redevelopment agency may amend a redevelopment plan to extend the time limit on the effectiveness of the plan and amendment the time limit on the payment of indebtedness and receipt of property taxes for up to ten additional years, but only after the agency finds, based on substantial evidence, the both of the following conditions exist:

- (1) Significant blight remains in the project area.
- (2) This blight cannot be eliminated without extending the effectiveness of the plan and the receipt of property taxes.

Per Section 33333.10(d), significant blight can exist in a project area even though blight is not prevalent in the project area. The report to the legislative body is required to identify on a map the portion of the project area in which significant blight remains.

A description of the remaining blighting conditions, along with the required map described above is included herein. The reasons why the blighting conditions cannot be alleviated without extending the effectiveness of the plan and the time limit for the receipt of tax increment and payment of indebtedness are described in Section VI of this Report.

3. Requirements to Extend the Agency's Authority to Utilize Eminent Domain Contained in CRL Section 33333.2(a)(4).

As required by CRL Section 33333.4 (a)(4), every redevelopment plan that provides eminent domain authority must include a time limit not to exceed 12 years. As shown on Figure 1, the Constituent Plans all have provisions for the use of eminent domain with time limits that vary. As provided by law, this limit may be extended by 12 years by amendment of the Constituent Plans after the Agency finds, based on substantial evidence, both of the following:

- That significant blight remains within the Project Area; and
- That this blight cannot be eliminated without the use of eminent domain.

The descriptions of the significant remaining blighting conditions are contained in this Section of the Report.

B. DEFINITIONS OF REMAINING BLIGHT

Effective January 1, 2007, the definitions of blight contained in Section 33031 of the CRL were changed and are now different from those in effect at the time of the merger of the Constituent Plans in 1998. Both the old and new definitions are summarized in Table 8 on the following page.

Common practice is to demonstrate significant remaining blight based upon both definitions of blight currently effective and those that were in effect at the time of adoption of a redevelopment plan. Therefore, in addition to the current blight standards, this Report addresses those blighting conditions that were identified in the 1998 Report that still remain applicable to the adoption of the proposed Amendment.

To assess the remaining blighting conditions in the Project Area, a survey of the Project Area was completed in February 2008. Data regarding building and parcel conditions were collected on a parcel-by-parcel basis based upon visual observations from the public rights of way. Information collected included general condition of the building, and observations regarding vacant lots, vacant and/or abandoned buildings, unreinforced masonry buildings, and nuisances that affect the health and safety and quality of life for residents such as dumping, litter, debris, and graffiti. These data were collected by trained field surveyors, all of whom have training and/or education in architecture, construction management or planning. A more detailed summary of the survey methodology is included as Appendix 2.

In addition, secondary sources were used to identify both physical and economic blighting conditions, including Fresno County Assessor data (obtained through Metroscan), real estate databases (CoStar and Loopnet.com) and real estate market reports prepared by real estate brokerage firms. The City of Fresno provided building permit data, crime data, code violation data, and other basic property and land use information.

Table 8: Definitions of Blight

1994-2006 Blight Definitions		Current Blight Definitions (as of 1/1/07)	
CRL 33031(a) - Physical Blighting Characteristics			
(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or similar factors.	(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by <u>serious</u> building code violations, <u>serious</u> dilapidation and deterioration <u>caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.</u>
(2)	Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate building size given present standards and market conditions, lack of parking, or other similar factors.	(2)	<u>Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards.</u>
(3)	Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the project area.	(3)	Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
(4)	The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.	(4)	The existence of subdivided lots that are in multiple ownership <u>and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.</u>
CRL 33031(b) - Economic Blighting Characteristics			
(1)	Depreciated or stagnant property values or impaired investments, including but not necessarily limited to, those properties containing hazardous wastes that require the use of agency authority as specified in Article 12.5 (commencing with Section 33459).	(1)	Depreciated or stagnant property values.
		(2)	<u>Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).</u>
(2)	Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area <u>developed for urban use and served by utilities.</u>	(3)	Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(3)	A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.	(4)	A <u>serious</u> lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(4)	Residential overcrowding or an excess of bars, liquor stores, or businesses that cater exclusively to adults that has led to problems of public safety and welfare.	(5)	<u>Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.</u>
		(6)	An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.
(5)	A high crime rate that constitutes a serious threat to the public safety and welfare.	(7)	A high crime rate that constitutes a serious threat to the public safety and welfare.

C. SIGNIFICANT REMAINING PHYSICAL BLIGHTING CONDITIONS

1. Buildings in Which it is Unsafe or Unhealthy for Persons to Live or Work

a. Serious Deterioration and Dilapidation

The Project Area has a number of buildings in which it is unsafe or unhealthy for persons to live or work. In the 1998 Report, a sample survey of 50 percent of the buildings in the Project Area (excluding West Fresno I, West Fresno II, West Fresno III, Fulton and the South Van Ness Industrial areas)¹⁷ revealed high percentages of deteriorated and dilapidated buildings in the Mariposa, Convention Center, Jefferson, and Chinatown areas. Similarly, a survey of all 443 buildings (as of 1998) in the South Van Ness Industrial area revealed that 18.7 percent of the buildings were deteriorated or dilapidated.

Table 9: Deteriorated and Dilapidated Buildings (1998 Survey)

Constituent Project Area	Percent of Deteriorated and Dilapidated Buildings
Mariposa	31.9%
Convention Center	32.7%
Jefferson	45.6%
Chinatown Expanded	40.0%
South Van Ness Industrial	18.7%

Survey results were based upon a 50% survey of the Mariposa, Convention Center, Jefferson and Chinatown expanded areas and a 100% survey of the South Van Ness Industrial Area.

Source: 1998 Report to City Council on Merger No. 1 and 1998 Preliminary Report for the South Van Ness Industrial Redevelopment Project.

While conditions have improved in the Project Area since 1998, these blighting conditions have not been totally alleviated. As described in the following subsections in this Report, there are still a significant number of buildings that are either deteriorated or dilapidated. In addition, while there has been a significant amount of building permit activity, which would suggest that there has been a great deal of blight elimination, a major portion of that building permit valuation has been for projects in which the Agency played some role (see Section II of this Report). As described below, the field survey conducted in 2008 indicates that there are still a significant number of deteriorated and dilapidated buildings in the Project Area.

¹⁷ West Fresno I, II and III were excluded because they were largely vacant land. Conditions in Fulton and Van Ness were evaluated in separate reports. CBD was not surveyed.

In the field survey, each building was given one of four possible ratings: "good," "deferred maintenance," "deteriorated," or "dilapidated." Buildings given a good rating were those that were in good condition, with no evidence of structural defects and that were well maintained. Ratings of deferred maintenance were given to buildings that would require minor repairs. Buildings in need of paint or that had minor deterioration around doors and windows, or other repairs that would normally be required over the useful life of a building would fall into this category. Buildings rated as deteriorated were those requiring major repair or replacement of major building components. These would include buildings with deteriorated or sagging roofs or walls, cracks in the building foundation or structure, or other major repairs. These conditions can be: 1) evidence of possible structural failures; 2) locations where intrusion by the elements (especially rainwater) could deteriorate the building even faster; 3) locations that allow or support the intrusion of vermin; or 4) locations where unsafe/unhealthy conditions such as mold or wood rot would occur. Dilapidated structures were those which had multiple major building components in need of repair or replacement to such an extent that the building could not be rendered safe without major rehabilitation or investment.

Results of the field survey indicate that 20 percent of the buildings were deteriorated and 14 percent of the buildings were dilapidated. Overall, 34 percent of the buildings were deteriorated or dilapidated. The locations of the deteriorated and dilapidated buildings are shown on Figure 6.

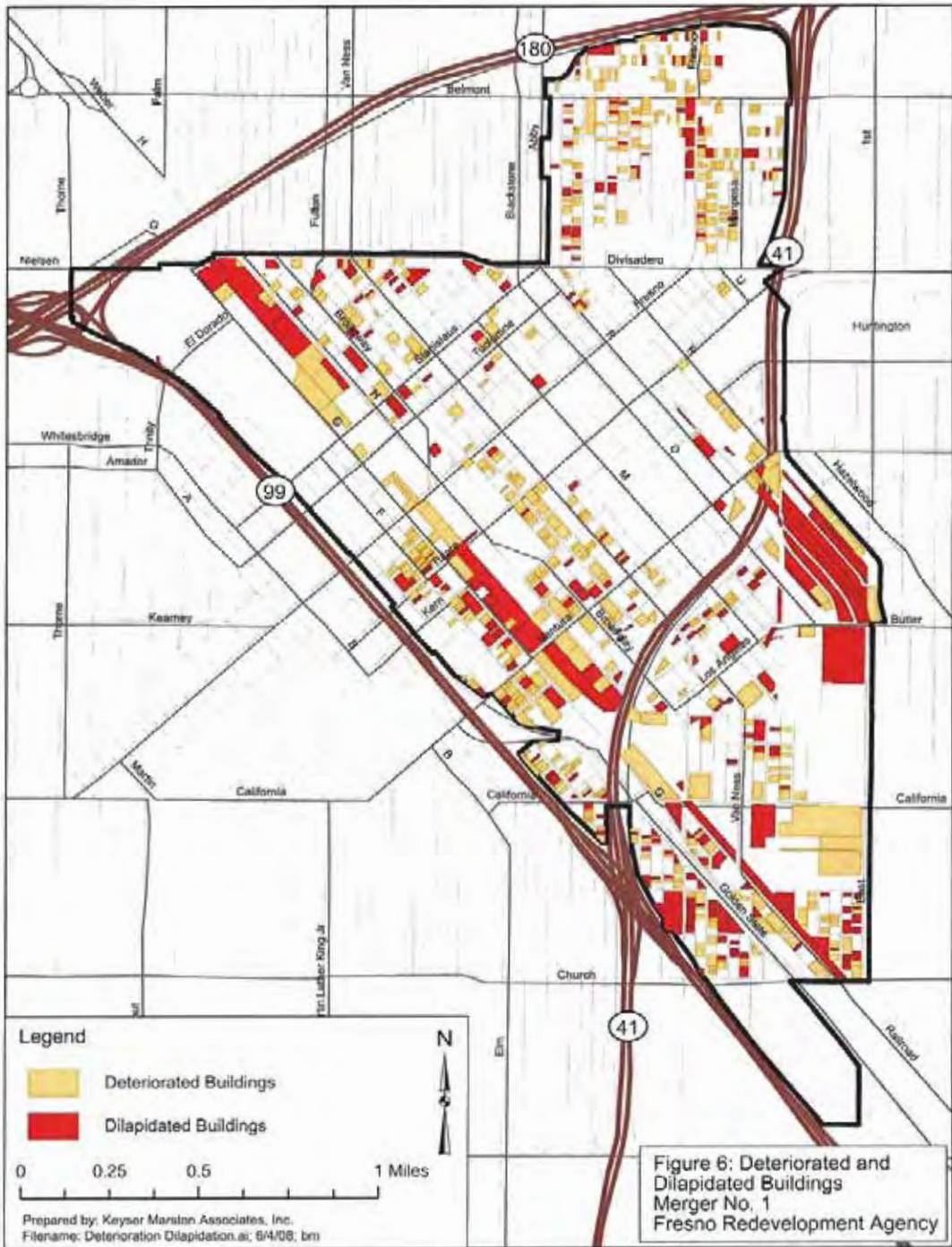
Table 10: Building Condition (2008 Field Survey)

Overall Building Condition	No. of Bldgs.	Percent of Total Bldgs.
Good	1,056	38%
Deferred Maintenance	790	28%
Deteriorated	553	20%
Dilapidated	378	14%
NAV	28	1%
Total Buildings	2,805	100%

Percentages may not add due to rounding.
Source: 3DVisions Field Survey, 2008

b. Serious Code Complaints

Another indicator of unsafe and unhealthy conditions in the Project Area is the numerous code violation complaints that occur on an on-going basis. These data suggest that there are many types of code violations that have become persistent problems in the Project Area. Common code complaints that are serious in nature include construction without permits or necessary City approvals, violations of the City's Dangerous Building Ordinance, the illegal occupancy of garages, sheds or other structures that are not



intended for occupancy, or persons living in RVs or campers as permanent residences.

An article in the Fresno Bee reported that one of eight long-abandoned buildings had to be bulldozed by the City after receiving an emergency court order when drenching rains threatened to bring it down. This particular building, located at 1715 Fulton Street in the Fulton area, had been vacant since 1980. These eight buildings were considered so dangerous that firefighters had to be warned of collapsed ceilings, floors that could give way underfoot and other life-threatening hazards.¹³

Code complaint data obtained from the City for the five-year period of 2003 through 2007 was reviewed to identify those complaints involving serious conditions that would affect the health and safety of building occupants. Complaints that are typically minor in nature or that can be readily corrected, such as parking on lawns, tall grass and weeds, overheight fences and sign violations were not included among the serious complaints. Serious code complaints fell into five broad categories: Unsafe Buildings, Other Serious Code Violations, Illegal Occupancy, Inadequate Utilities, and Animals and Vermin. Within each of these five categories, there are a number of different types of code complaints as summarized on Table 11.

¹³ Nax, Sanford and Jeff St. John. "Crumbling but Still Standing. Neighbors of Fresno's X-marked buildings keep a watch on the unstable structures, as efforts to revitalize or raze often drag on." The Fresno Bee. Originally published February 2, 2008.

Table 11: Serious Code Complaint Categories

Category	Abbr	Examples
Unsafe Buildings	HCOV PNVB CBDB CBOV DEMO HCDD HCDR HCHC PNFH	Open/Vacant Building Vacant/Blighted Building Dangerous Building Ord. Commercial Building Open/Vacant Demolition Program Dangerous Building - Demo Dangerous Building - Repair Hazardous Conditions Fire Hazard
Inadequate Utilities	HCSO HCHT HCNU	Sewer Overflow No Heat No Utilities
Illegal Occupancy	HCIO ZCRH OCU	Occupancy Violation RV Inhabited Occupancy Violation
Other Serious Code Violations	HCRP HCCP ZCUS HCSH HCCC ZCIS PNDT PNHE PNRV	Housing Code Repair Construction Without Permits Unapproved Structure Safe Housing Code Compliance Illegal Storage Dead Tree/Fire Res/Demo D Hazardous Easement Obstruction Rubbish/Junk/Misc.
Animals and Vermin	HCII PNDD ZCFA	Insect Infestation Dog Droppings Farm Animals on Property

Source: City of Fresno

Unsafe Buildings include buildings identified as blighted and vacant by the City's Code Enforcement personnel, commercial and residential buildings that are open/unsecured and vacant (which present attractive nuisances for illegal activities and squatting), and buildings that are designated for inclusion in the City's Dangerous Building Program. The Dangerous Building Program was initiated by the passage by the City Council of the Dangerous Building Ordinance, which enables City officials to focus on seriously dilapidated structures that pose health and safety risks to the public. A team of City staff works with property owners to get them to either rehabilitate the building, or if that is not feasible, to demolish the building. The City also has the ability to get an emergency order to demolish if it is necessary, but that is usually undertaken as a last resort. All buildings or portions thereof which are determined after inspection by City Code Enforcement personnel or the Fire Chief to be dangerous as defined in the City Municipal Code, are declared to be public nuisances and must be abated by repair, rehabilitation, or demolition.

A total of 2,059 serious code complaints were recorded between 2002 and April 2008 for the Project Area out of a total of 36,783 serious code complaints Citywide. These data are summarized by category on Table 12. The locations of these code complaints are

shown on Figure 7. Overall, despite only representing 2 percent of the City's population, the Project Area accounts for 6 percent of the total serious code complaints and 10 percent of the code complaints involving unsafe buildings.

Table 12: Serious Code Violations – 2003 Through April 2008

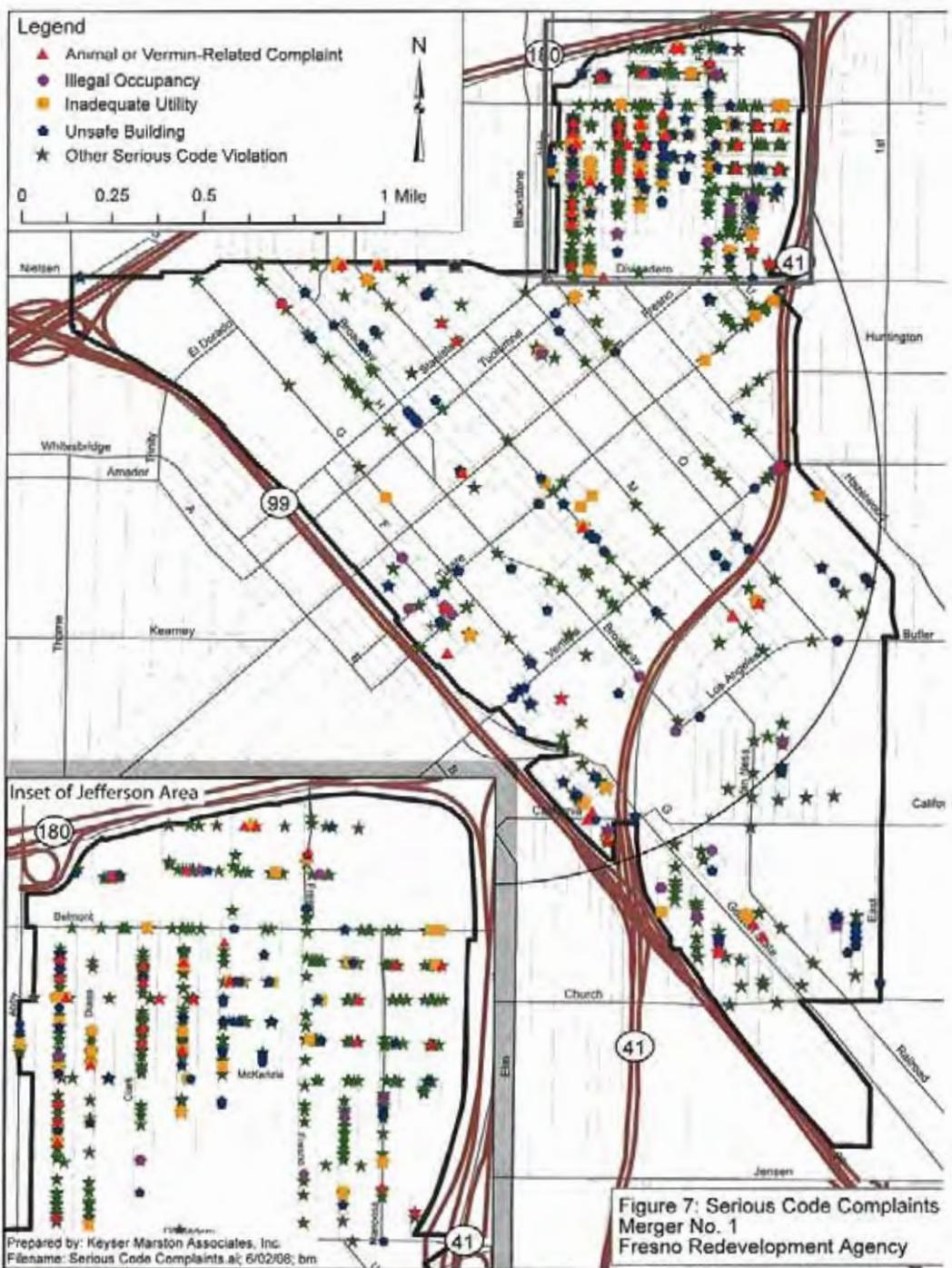
Category	Project Area	Balance of the City	Project Area % of Total
Unsafe Buildings	329	3,324	10%
Inadequate Utilities	190	2,926	6%
Illegal Occupancy	77	2,071	4%
Other Serious Code Violations	1,324	25,771	5%
Animals and Vermin	89	2,858	3%
Totals	2,059	36,950	6%

Source: City of Fresno

In addition, 45 buildings were identified as needing code inspection, due to observed conditions that raised health and safety concerns such as:

- Deteriorated or substandard conditions that would allow easy access by rodents or small animals.
 - Columns supporting porches, overhangs, roofs or carports that appear to be of inadequate size.
 - Buildings that appeared to be leaning or at risk of structural collapse.
 - Buildings with security bars that appear to lack emergency release mechanisms.
 - Buildings under construction without visible permits.
 - Meal service or other businesses at a residence.
- c. Construction that is Vulnerable to Serious Damage from Seismic or Geological Hazards

Because the Project Area includes the City's historic core, a number of older (pre-1970s) buildings exist, including several unreinforced masonry buildings (UMBs). UMBs are considered hazardous unless they have been seismically retrofitted because they are especially vulnerable to damage from moderate to strong earthquakes. In the Project Area, a total of 131 UMBs were identified during the field survey, the majority of which



were in less than sound condition. Fifty-nine percent of the UMBs were either deteriorated or dilapidated.

Table 13: Unreinforced Masonry Buildings (UMBs)

General Condition of UMB	No. of Buildings	Percent of UMBs
Good	24	18%
Deferred Maintenance	30	23%
Deteriorated	44	34%
Dilapidated	33	25%
Total Buildings	131	100%

Percentages may not add due to rounding.
Source: 3DVisions Field Survey, 2008

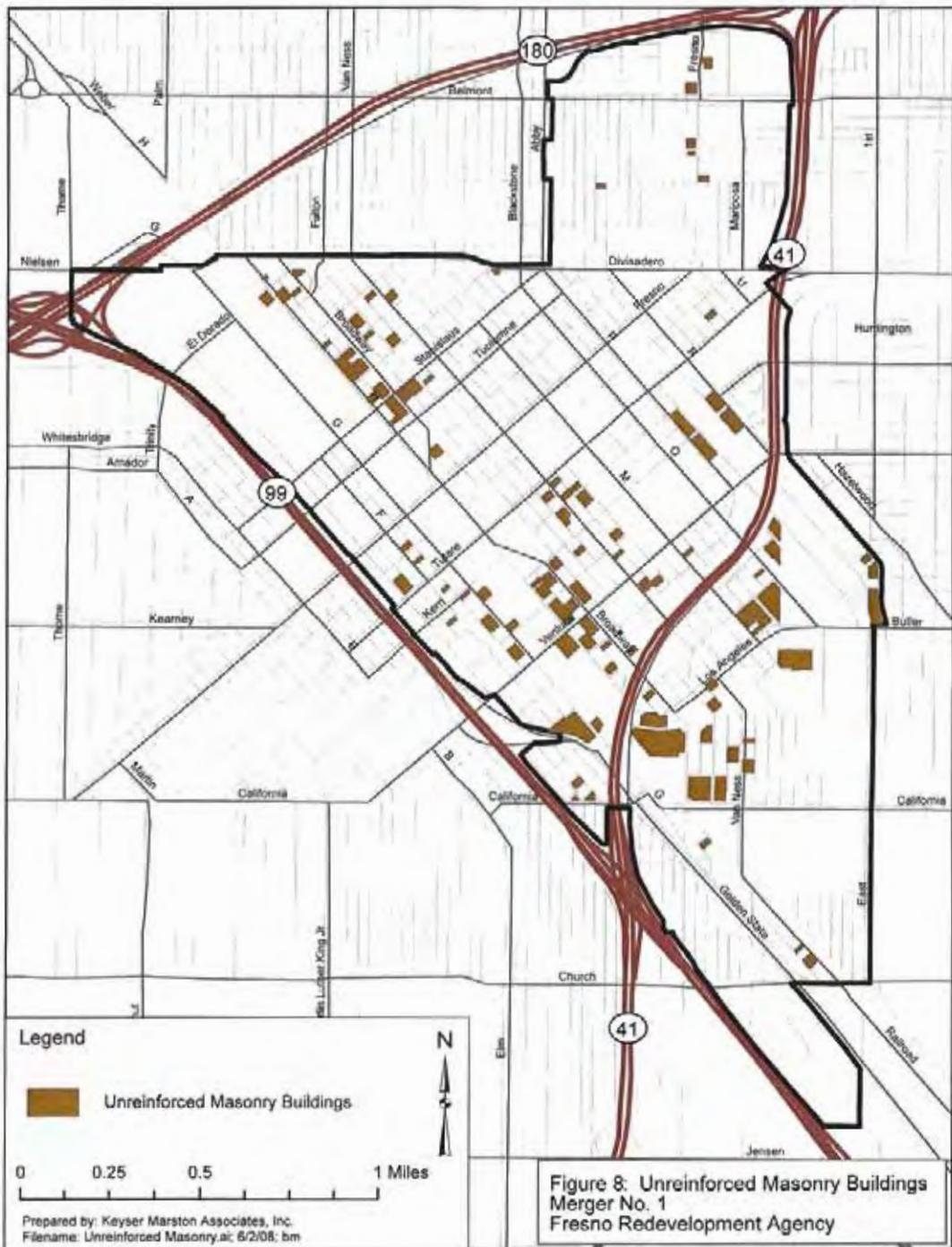
These buildings would be considered doubly unsafe due to their poor overall condition and unreinforced masonry construction. The locations of the UMBs are shown on Figure 8.

2. Conditions that Prevent or Substantially Hinder the Viable Use or Capacity of Buildings or Lots

As described in the CRL, these conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards. In the 1998 Report, the Project Area was characterized by age and obsolescence, a lack of parking, and infrastructure deterioration.

The 1998 Report indicated that approximately two-thirds of the buildings in the Jefferson and Chinatown Projects were built before 1940 (and therefore 58 years old or older), as were 40 percent of the buildings in Convention Center, almost 25 percent of buildings in the CBD, and 16 percent of buildings in Mariposa.

In addition, the 1998 Report identified a deficit of 2,250 parking spaces in the Central Area, and indicated a poor match between parking facilities and activity centers to the point where some of the available parking is inconvenient and local businesses and uses were poorly served.



Due to the age of the infrastructure in the Project Area, much of it was reaching the end of its normal service life. The *Central Area Community Plan* estimated that 90 percent of the streets within the Central Area would need maintenance within the upcoming 25 years and that 10 percent of streets will need to be reconstructed.

1) Buildings of Substandard, Defective or Obsolete Design or Construction Given the Present General Plan, Zoning or Market Development Standards

The field survey identified 119 substandard buildings and 53 obsolete buildings.

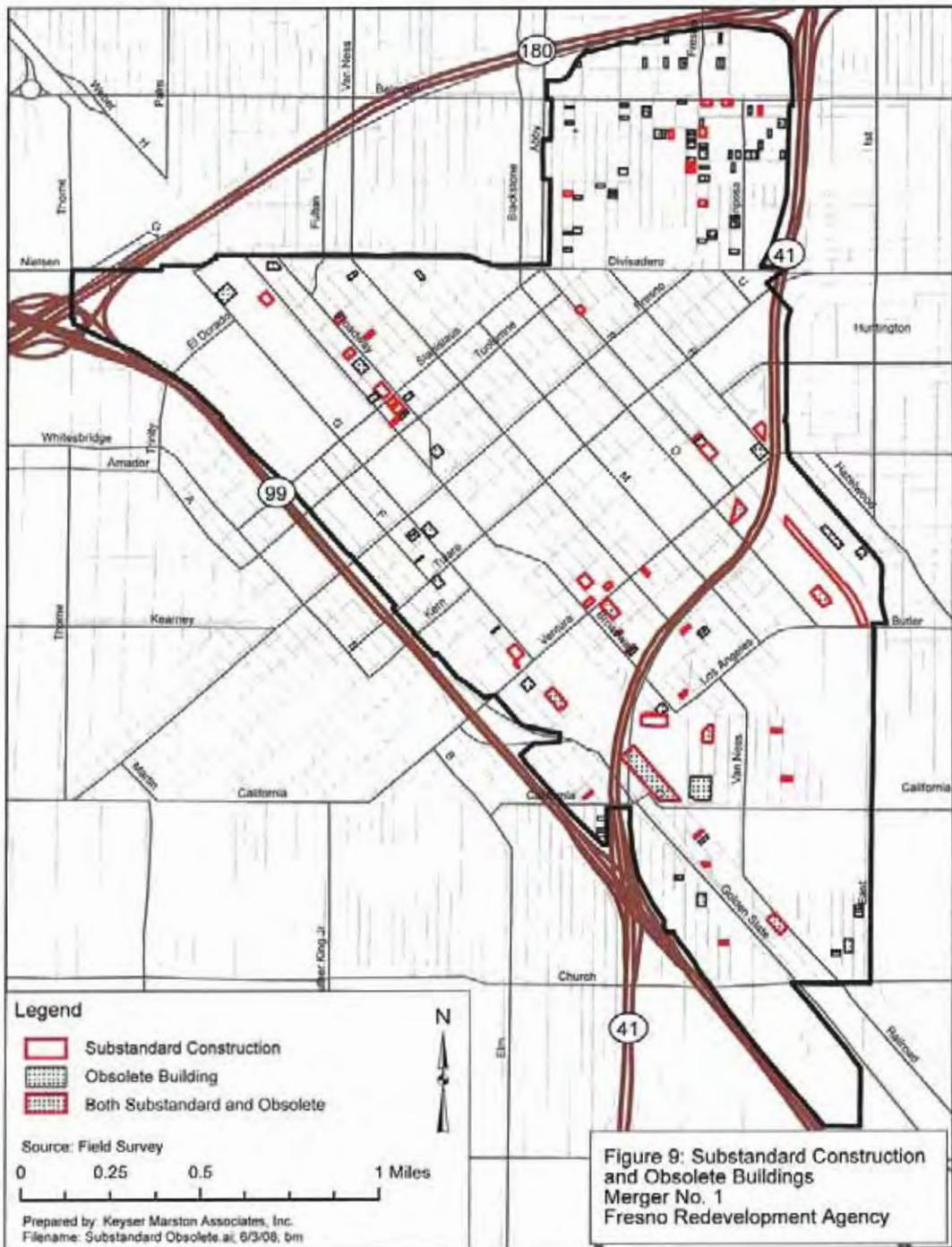
Substandard buildings included:

- Buildings with extensive dry rot
- UMBs that obviously lack seismic retrofitting
- Buildings with substandard materials such as corrugated metal panels or plywood used as siding inappropriately
- Buildings that were being supported by exterior bracing to prevent collapse
- Buildings identified as unsafe by code enforcement, i.e. marked with a red "x" on the exterior

Obsolete buildings included:

- Un-maintained buildings, such as rusting or deteriorating Quonset huts
- Industrial buildings with rail-oriented loading facilities on the building but no rail access, i.e., the siding railroad tracks had been removed
- Old gas stations of substandard construction

These buildings affect 144 parcels or 7 percent of the parcels in the Project Area. The locations of these parcels are shown on Figure 9.



2) The Blighting Conditions at the Fulton Mall

Beginning in the 1960s, there have been numerous initiatives to redevelop the Fulton Mall area. Fulton Street between Tuolumne Street and Inyo Street was closed to vehicular traffic in the mid-1960s. The creation of Fulton Mall was among the earliest attempts of the period to create a pedestrian-oriented mall-type environment in the downtown to compete with suburban malls and slow the exodus of retail to the suburbs. As described in the DTIS, such pedestrian malls were intended to compete with suburban malls by providing an environment with many of the features of suburban malls, namely pedestrian-only zones, cars limited to the periphery, easy parking, and amenities such as attractive landscaping, water features and public art. However, as with many of the pedestrian malls of the period, the Fulton Mall has not been as successful as hoped. The DTIS points out that visitors perceive that access to stores in a downtown mall is not as convenient as in a shopping mall, and public parking may be more difficult to find. Many businesses find that the lack of drive-by traffic and storefront parking, without the volumes of pedestrians found in a suburban mall, make it more difficult to thrive. Without vehicular traffic passing by, pedestrian malls can seem to be less safe than privately-managed suburban malls.¹⁴ As with many other pedestrian malls, Fulton Mall was not able to prevent the continued decline of the downtown area and it has taken concerted efforts by the City, the Agency and the private sector to bring a critical mass of businesses, residents and visitors to the downtown to reverse blighted conditions. The DTIS identifies the following weaknesses at the Fulton Mall:

- The Mall appears run down and dated, and suffers from inadequate maintenance, vegetation that is overgrown and aging, and deteriorated features such as fountains and paving. Updated lighting is also needed.
- The Mall is not easily visible from other streets. Poor visibility impedes pedestrian access, way-finding is unclear, and pedestrian and bicycle routes do not lead to or focus on the Mall.
- The lack of nighttime activity discourages pedestrian use. Few restaurants operate in the evenings and Chukchansi Park is the only major destination with evening events.
- Fulton Mall does not have a strong relationship with some of the more important surrounding/adjoining uses that could help activate it and the Mall acts as a cul-de-sac, particularly in the east-west direction. Most of the activity generators in the downtown (such as the County offices, Library, Transit Center, and

¹⁴ Wilbur Smith Associates, pp. 8-1 and 8-2.

Metropolitan Museum) are located on the east side of the Mall. With the exception of Chukchansi Park, no major activity is located on the west to serve as potential anchors for cross-mall pedestrian traffic.

- Empty storefronts and buildings with solid, blank walls along the Mall are unattractive and convey a negative image. The "dead spots" on the Mall need to have their storefronts filled with some form of interest (art, etc.).
- The Mall lacks a public restroom facility equal to those that are provided by suburban shopping centers.

These conditions all contribute to a lack of critical mass and the run down and blighted appearance of the Fulton Mall, which suffers from high vacancies.

One of the physical conditions that impair the economic viability of the Fulton Mall is the building sizes and configurations. Many of the buildings on the Mall were constructed before the post-World War II expansion of suburban development and the development of enclosed malls.¹⁵ These buildings were designed for a mode of retailing that no longer exists. Several key factors have contributed to major changes in the way people shop: 1) the development and expansion of suburbs; 2) the rise and prevalence of automobiles as the primary means of transportation; and 3) the rise of the auto-oriented enclosed shopping mall and self-service shopping.

Prior to the development of enclosed malls and suburban expansion, most shoppers arrived on foot or by public transportation, so abundant parking was less of a concern. In addition, retailers generally had limited sales floor space and self-service shopping was limited: most of the merchandise was not on the sales floor, but rather in stockrooms and storage rooms. Customers were not expected to select their own merchandise from the display, but typically entered a store and were assisted by the store owner or sales person, who brought merchandise to the customer from stockrooms. This style of retailing allowed merchants to utilize buildings with narrow storefronts (20 to 25 feet in width) and depths of 100 to 120 feet.

Retailing has changed significantly since the 1960s. In addition to needing nearby plentiful parking to attract customers, most stores utilize self service shopping: the majority of a store's merchandise is on the sales floor and customers select their own items for purchase. As a result of the change in sales and merchandising practices, most small retailers prefer retail spaces of 25 to 30 feet in width and 50 to 60 feet in

¹⁵ There are a number of articles that have been written regarding the development of suburban shopping centers and malls and the decline of downtowns. See Appendix I for a list of articles referenced.

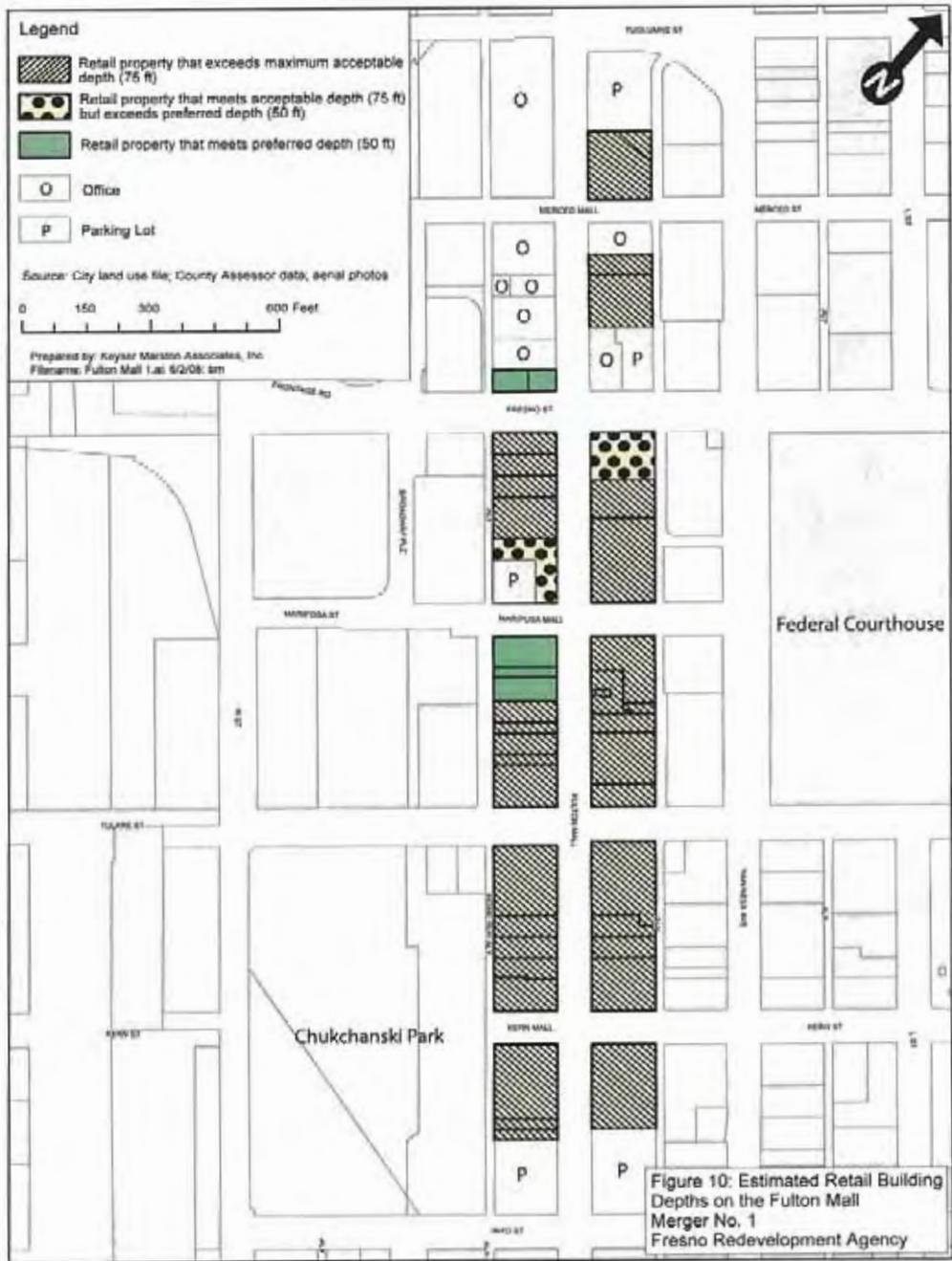
depth. Some will utilize spaces up to 75 feet in depth, but consider anything deeper than that unusable.¹⁸

In order to assess the depths of retail buildings on the Fulton Mall, parcel maps and aerial photos were used to estimate building depths. There were 41 buildings identified as being retail buildings or having space for retail on the ground floors. As summarized in Table 14 and shown on Figure 10, 34 of the retail buildings (or 83 percent) were in excess of 75 feet in depth. Only 5 of the 41 had buildings of the preferred depth (50 feet) and 2 buildings had of depths between 50 and 75 feet. These data illustrate that property owners with retail space in the buildings along the Fulton Mall are at a competitive disadvantage regarding retail space configuration with modern retail space in the City.

Table 14: Fulton Mall Retail Building Depth

	Retail Buildings	% of Retail Buildings
Building depth 50 feet or less (preferred)	5	12%
Building depth 50 to 75 feet (acceptable)	2	5%
Building depth greater than 75 feet (unacceptable)	34	83%

¹⁸ These retail space widths and depths are based upon information obtained from developers, real estate agents and retail tenant representatives for a variety of retail projects over the past 3 years.



D. SIGNIFICANT REMAINING ECONOMIC BLIGHTING CONDITIONS

1. Depreciated or Stagnant Property Values

a. Assessed Property Values

As described in the 1998 Report, depreciated or stagnant property values can be an impediment to reinvestment and redevelopment: property owners are often more reluctant to reinvest in a property due to the lower likelihood of receiving a return on their investment that is comparable to the risk of the reinvestment. The passage of Proposition 13 in California limited the amount of increase in assessed valuation for properties in California to a maximum of 2 percent per year (plus any voter-approved overrides) except where property changes ownership, or is substantially remodeled or an addition is constructed. Therefore, while trends in assessed value are not a direct measure of property values, increases in assessed value above 2 percent over time are indicative of a healthy real estate market, and along with building permit data, are indicative of activity and reinvestment occurring in an area.

The 1998 Report analyzed the trend in assessed value changes for nine of the Constituent Project Areas from 1991-92 through 1996-97 (hereinafter referred to as Period 1). Results of the analysis indicated that assessed values declined during the period in six of the nine Project Areas: CBD, Convention Center, Mariposa, West Fresno I, West Fresno III and Fulton. Only the West Fresno II, Chinatown and Jefferson Project Areas experienced healthy assessed value growth during this period. For this analysis, assessed value data for the period 1997-98 through 2006-07 (i.e. Period 2) were reviewed to determine the trend in assessed value for the Constituent Project Areas since the 1998 Report. Of the three that experienced healthy increases in Period 1, West Fresno II experienced overall stagnation with an increase of 5.6 percent (or less than 1 percent per year), Chinatown experienced a decline in assessed value, at minus 29.8 percent and Jefferson experienced an increase of 63.5 percent. Of the six Constituent Project Areas that experienced declines during Period 1, five experienced increases during Period 2: CBD increased 196.9 percent, Convention Center increased 100.8 percent, Mariposa increased 67.5 percent, and West Fresno I increased 5.6 percent. Data for Period 2 for West Fresno III was not available for comparison. While the increases in assessed value during Period 2 would suggest that assessed values are increasing at a normal or better-than-normal rate, in one Project Area – Chinatown Expanded, assessed values declined, and on an annualized basis, property values were stagnant (i.e. increased by less than the 2 percent per year) in West Fresno II and increased by less than 1 percent overall in the South Van Ness Industrial Project Areas.

These data suggest the property values are declining or stagnant in the Chinatown Expanded, West Fresno II and South Van Ness Industrial areas.

b. Retail Property Sales Prices

To further assess property values in the Project Area, sales prices for retail properties were analyzed and compared to retail property sales prices in the balance of the City and in Fresno County overall from 2002 through 2007. The results of the analysis and a summary of the retail property transactions in the Project Area are shown on Figure 11. The majority of the 25 properties transacted in the Project Area were freestanding or stand-alone retail buildings, typically one-story buildings. According to the Marshall Valuation Service, the typical useful building life of similar building types is approximately 45 years, suggesting that any building built prior to 1963 would be considered obsolete without major renovation. Twenty-three of the 25 buildings transacted were constructed before 1963 and most were sold for prices below their replacement costs. For example, of the three buildings transacted in 2007, the sales prices were \$45.60, \$42.96 and \$120.00 per building square foot. The estimated replacement cost of a one-story retail building of average quality in 2007 was estimated at \$63.00 utilizing costs from the Marshall Valuation Service handbook. Thus, 2 of the 3 were sold for less than replacement cost. As shown in Figure 11, the median sales price for retail properties was below the median sales price for the balance of the City and the County in all 6 years of data analyzed. The analysis indicates that 15 of the 25 properties were sold at values below their estimated replacement cost. The age of the structures, combined with the low sales prices indicate that many of these buildings are considered obsolete by today's standards and that the value of these buildings, as representative of the general stock of retail buildings in the Project Area, are depreciated.

c. Office Property Sales Prices

As with retail properties, sales prices for office properties were analyzed and compared to sales prices for office properties in the balance of the City and in Fresno County for transactions from 2002 through 2007. The results of the analysis and a summary of the office property transactions in the Project Area are shown on Figure 11. Real estate professionals classify office properties as either "Class A," "Class B" or "Class C" properties, depending upon factors such as building construction quality, amenities, and property management. Class A properties are those of the highest quality construction and finishes, the most desirable amenities and top quality professional management, while Class C buildings are considered those of the lowest quality and with the few amenities, and are usually managed by individual property owners (see Appendix 3 for a more detailed description of office building classifications). Because the Project Area includes the City's civic center and most of the office core for local, county, state and

federal district offices, the Project Area would be expected to include much of the better, Class A office building space in the City. However, the office properties transacted between 2002 and 2007 were primarily low-rise (1- to 3-stories) buildings that were considered Class B and Class C properties. Low-rise office buildings typically have a useful service life of 40 to 45 years, suggesting that a building constructed before 1963 would have reached the end of its useful life without major rehabilitation. Of the 21 buildings transacted, 15 were constructed before 1963. Only one was considered a Class A property: a nine-story office building constructed in 1923 that had been renovated. The two other high-rise buildings (more than 5 stories) were either Class B or Class C structures. Of the 21 properties, 15 were sold at prices below the estimated replacement costs for typical low-rise office buildings. These data indicate that the office properties, as representative of much of the Class B and Class C office buildings in the Project Area, are considered obsolete and have depreciated values.

d. Industrial Property Sales Prices

Industrial property transactions from 2002 through 2007 in the Project Area were analyzed for comparison to transactions of industrial properties in the balance of the City and Fresno County. Results of the analysis and a summary of the Project Area transactions are shown on Figure 13. Most of the industrial buildings transacted were small, with 19 of the properties having buildings of less than 10,000 square feet in area. The typical service life of industrial buildings is approximately 40 years, suggesting that buildings built before 1968 would have reached the end of their useful life without major rehabilitation. Of the 30 properties transacted, 18 were constructed before 1968, indicated that they would be considered obsolete without major rehabilitation. In addition, half of the properties (15 of 30) were sold at prices below the estimated replacement costs for the buildings. The median sales price for industrial properties was below the estimated replacement costs in four of the six years analyzed. These data suggest that many of the industrial buildings are considered obsolete and have depreciated values.

e. Single-Family Residential Sales Prices

Single-family home sales prices in the Project Area from 2002 through 2007 were analyzed and compared to single-family home sales prices in the balance of the City and Fresno County. As shown on Figure 14, the median home sales price in the Project Area was consistently well below the median for the balance of the City and Fresno County. However, differences in median sales prices can be affected by home sizes and amenities. Therefore, median sales prices were also analyzed on a per-square-foot basis. The median home sales price was consistently below the median for the balance of the City and Fresno County on a per-square-foot basis. These data indicate that

**FIGURE 11
SUMMARY OF RETAIL PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	3	4	5	5	6	3	26
Total \$\$ Value	\$3,095,000	\$2,305,500	\$3,910,000	\$5,165,000	\$5,637,000	\$3,150,000	\$23,202,500
Total Sq. Ft Bldg.	80,987	39,659	165,403	64,176	71,538	66,950	488,710

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$35.31	\$62.17	\$25.30	\$51.35	\$92.31	\$45.60
Balance of the City	\$115.92	\$104.78	\$113.37	\$195.91	\$230.66	\$308.78
Fresno County	\$97.18	\$102.60	\$131.25	\$183.40	\$197.00	\$251.41
Replacement Cost *	\$48.00	\$49.00	\$54.00	\$56.00	\$61.00	\$63.00

SALES TRANSACTION DATA

Address	Approx. Sale		Building			Price per		Year Built	Use Type
	Date	Sale Price	Sq. Ft	Land Sq. Ft	FAR	Sq. Ft. Bldg.			
1. 1435 Fresno St	Oct 2002	\$2,500,000	50,897	143,748	0.40	\$43.94	1983	Supermarket	
2. 1940 H St	Nov 2002	\$295,000	15,310	26,136	0.59	\$18.62	1948		
3. 2402-2406 Ventura St	Dec 2002	\$310,000	8,780	14,375	0.81	\$35.31	1962		
4. 1729 Van Ness Ave	Mar 2003	\$1,310,000	8,184	18,731	0.44	\$160.07	1960	General Freestanding	
5. 1729 Van Ness Ave	Jun 2003	\$395,500	10,800	21,780	0.48	\$37.67	1923	General Freestanding	
6. 1017 Fulton	Oct 2003	\$325,000	3,760	3,920	0.96	\$86.67	1960	Storefront	
7. 1502-1520 Tulare St	Dec 2003	\$275,000	17,225	26,136	0.66	\$15.97	1940	Storefront	
8. 860 Fulton Mall	Feb 2004	\$1,467,000	88,084	30,056	2.93	\$16.65	1940		
9. 1625 Broadway St	Mar 2004	\$475,000	11,884	30,056	0.39	\$40.65	1945		
10. 702 Fulton St	Sep 2004	\$1,000,000	39,518	67,518	0.59	\$25.30	1924	Storefront	
11. 1540 Kern St	Nov 2004	\$350,000	14,700	7,405	1.99	\$23.81	1938	Storefront Retail/Residential	
12. 1025 Fulton Mall	Dec 2004	\$618,000	11,417	7,405	1.54	\$54.13	1960	Storefront	
13. 1000-1024 Fulton Mall	Jan 2005	\$1,500,000	32,068	18,295	1.75	\$46.78	1980		
14. 1729 Van Ness Ave	Feb 2005	\$2,070,000	10,500	21,780	0.48	\$197.14	1923	General Freestanding	
15. 1141-47 Fulton Mall	Jun 2005	\$905,000	7,500			\$120.67	1920	Regional Center/Mall	
16. 648 Broadway St	Aug 2005	\$325,000	7,000	20,909	0.33	\$46.43	1942	Free Standing	
17. 1234 O St	Oct 2005	\$365,000	7,108	14,810	0.46	\$51.35	1942	Free Standing	
18. 2317 Tuolumne St	Jan 2006	\$2,342,000	25,035	91,912	0.27	\$93.55	1980	Banquet/Social Hall	
29. 3032 Tulare	Feb 2006	\$1,100,000	11,250	26,136	0.43	\$97.78	1953	Street Retail	
20. 1452-1484 Fresno St	Feb 2006	\$1,500,000	16,250	11,326	1.43	\$92.31	1923	Storefront Retail/Residential	
21. 1829 Van Ness Ave	Mar 2006	\$260,000	4,000	9,148	0.44	\$65.00	1949	Free Standing	
22. 1234 O St	May 2006	\$435,000	15,000	14,810	1.01	\$29.00	1942	Free Standing	
23. 1460 Broadway St	Feb 2007	\$1,400,000	30,700	58,370	0.53	\$45.60	1913		
24. 887 Fulton Mall	Feb 2007	\$1,450,000	33,750	11,326	2.98	\$42.96	1980	Storefront Retail/Office	
25. 302 N Fresno St	Nov 2007	\$300,000	2,500	10,880	0.23	\$120.00	1956	General Freestanding	

* Replacement costs rounded to the nearest dollar. Costs estimated for an average quality, 1-story retail building of concrete block or tilt-up with average interior finishes. Furniture, fixtures and equipment not included.

FIGURE 12
SUMMARY OF OFFICE PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	5	3	4	3	3	3	21
Total \$\$ Value	\$4,924,000	\$2,668,000	\$3,120,000	\$7,698,000	\$7,698,000	\$3,416,000	\$29,413,000
Total Sq. Ft Bldg.	61,688	112,136	245,117	142,798	41,428	46,080	649,227

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$68.77	\$23.76	\$13.89	\$50.62	\$89.06	\$78.86
Balance of the City	\$83.18	\$96.15	\$94.58	\$141.29	\$143.71	\$149.56
Fresno County	\$63.49	\$96.15	\$95.43	\$137.78	\$142.82	\$142.87

Replacement Cost *	\$71	\$72	\$79	\$82	\$89	\$93
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SALES TRANSACTION DATA

	Address	Approx. Sale		Building		FAR	Price per Sq. Ft. Bldg.	Year Built	Floors	Bldg. Class
		Date	Sale Price	Sq. Ft.	Land Sq. Ft.					
1.	929 L St	Jun 2002	\$1,000,000	9,379	13,939	0.67	\$106.82	1978	2	C
2.	1713 Tulare Ave	Aug 2002	\$1,725,000	11,000	140,899	0.08	\$156.82	1898	2	C
3.	907 Santa Fe St	Aug 2002	\$1,380,000	10,631	30,492	0.64	\$68.77	1960	2	C
4.	1302-1310 Van Ness	Sep 2002	\$500,000	10,978	19,602	0.50	\$45.55	1950	1	C
5.	1528 Van Ness Ave	Nov 2002	\$349,000	10,700	14,810	0.72	\$32.62	1957	1	C
6.	1206 G St	Feb 2003	\$365,000	10,592	29,185	0.38	\$34.46	1981	1	C
7.	2721 Ventura St	Feb 2003	\$843,000	38,300	49,223	0.74	\$17.71	1928	2	B
8.	1101-1123 Fulton Mall	Mar 2003	\$1,550,000	65,244	12,632	5.16	\$23.76	1914	10	B
9.	1828-1840 H St	Apr 2004	\$290,000	18,661	30,056	0.82	\$15.54	1950	1	C
10.	939 Fulton St	Jun 2004	\$1,650,000	154,322	24,829	6.22	\$10.89	1926	6	C
11.	1018 Fulton	Jun 2004	\$850,000	69,484	14,810	4.69	\$12.23	1930	6	C
12.	238 N Fresno St	Oct 2004	\$330,000	2,650	16,553	0.16	\$124.53	1956	1	C
13.	1789 Fulton St	Jan 2006	\$875,000	17,266	22,651	0.76	\$50.62	1955	1	C
14.	1401 Fulton St	Jul 2005	\$5,223,000	104,712	11,326	9.25	\$49.88	1923	9	A
15.	1821 Fulton St	Oct 2005	\$1,600,000	20,800	30,056	0.69	\$78.92	1973	1	C
16.	2317 Tuolumne St	Jan 2006	\$2,342,000	26,035	91,912	0.28	\$89.96	1980	1	C
17.	2120-2146 Merced St	Feb 2006	\$800,000	11,250	11,326	0.99	\$71.11	1978	1	C
18.	2140 San Joaquin St	Dec 2006	\$760,000	4,143			\$181.03			
19.	1444 Fulton St	Feb 2007	\$1,375,000	12,055	18,731	0.64	\$114.06	1968	2	B
20.	2125-2141 Kern St	Jun 2007	\$1,600,000	28,426	18,602	1.45	\$56.29	1937	3	C
21.	2389 S Sarah St	Oct 2007	\$440,000	5,580	16,731	0.30	\$78.85	1964	1	B

* Replacement costs rounded to the nearest dollar. Costs estimated for all average quality 2-story steel frame or bearing wall building with average interior finishes, lighting, plumbing, and HVAC systems.

FIGURE 13
SUMMARY OF INDUSTRIAL PROPERTY TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	3	1	8	5	7	6	30
Total \$\$ Value	\$4,045,000	\$268,500	\$2,407,500	\$5,121,000	\$3,212,500	\$2,357,000	\$18,011,500
Total Sq. Ft. Bldg.	261,997	10,488	71,920	213,676	56,316	51,299	665,696

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$21.74	\$25.60	\$34.12	\$24.15	\$104.00	\$59.31
Balance of the City	\$33.95	\$25.03	\$51.19	\$44.07	\$65.97	\$66.67
Fresno County	\$28.88	\$28.03	\$48.97	\$40.63	\$66.97	\$65.60

Replacement Costs*	\$32	\$32	\$35	\$37	\$40	\$42
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SALES TRANSACTION DATA

Address	Approx. Sale		Building		FAR	Price per		Year Built
	Date	Sale Price	Sq. Ft.	Land Sq. Ft.		Sq. Ft. Bldg.	Sq. Ft.	
1. 1844 S. Cherry Ave	Feb 2002	\$3,500,000	161,009	240,451	0.67	\$21.74	1976	
2. 1602 G St	Jul 2002	\$250,000	10,488	25,265	0.42	\$23.84	1959	
3. 747 R St	Oct 2002	\$695,000	90,500	59,677	1.52	\$9.89	1931	
4. 1502 G St	Mar 2003	\$268,500	10,488	28,268	0.42	\$25.60	1950	
5. 2307 S. Grace St	Feb 2004	\$67,500	457	3,049	0.16	\$136.00	1950	
6. 1835 S. Van Ness Ave	Apr 2004	\$250,000	5,000	7,405	0.68	\$50.00	1965	
7. 2120 S. Van Ness Ave	Jun 2004	\$280,000	8,100	37,443	0.30	\$34.67	1963	
8. 1501 Broadway St	Jun 2004	\$450,000	17,881	29,185	0.61	\$25.17	1940	
9. 223 Broadway St	Sep 2004	\$310,000	7,568	14,375	0.53	\$40.96	1960	
10. 2640 E. Braly Ave	Sep 2004	\$300,000	9,000	14,910	0.61	\$33.33	1983	
11. 2822 E. California Ave	Sep 2004	\$535,000	17,500	51,401	0.34	\$30.57	1962	
12. 1826 S. Mary St	Oct 2004	\$215,000	6,384	22,651	0.28	\$33.66	1948	
13. 2323 S. Orinda St	Apr 2005	\$97,000	876	6,970	0.08	\$181.04	1948	
14. 2319 S. Orinda St	Jul 2005	\$148,000	1,092	8,583	0.11	\$136.45	1991	
15. 1625-1626 Tulare Ave	Sep 2005	\$1,300,000	112,800	103,673	1.09	\$11.52	1946	
16. 1221 S. Grace St	Oct 2005	\$35,000	1,012	6,098	0.17	\$34.56		
17. 1816-1860 G St	Nov 2005	\$3,550,000	98,198	196,020	0.80	\$36.15	1979	
18. 2272 S. East Ave	Mar 2006	\$1,062,500	30,000	130,680	0.23	\$35.42	1960	
19. 2329 S. Grace St	May 2006	\$175,000	1,034	6,098	0.17	\$169.25	1925	
20. 304 M St	May 2006	\$185,000	1,081	5,663	0.19	\$171.14	1970	
21. 1843 S. Sarah St	Jul 2006	\$185,000	829	6,970	0.12	\$224.24	1919	
22. 2340 S. Grace St	Sep 2006	\$75,000	816	12,832	0.06	\$91.91		
23. 605 Van Ness Ave	Sep 2006	\$780,000	7,500	18,295	0.41	\$104.00	1971	
24. 1444 F St	Nov 2006	\$750,000	15,060	30,056	0.50	\$49.80	1976	
25. 210 N. Van Ness Ave	Jun 2007	\$250,000	7,500	14,375	0.52	\$33.33		
26. 337 M St	Jul 2007	\$500,000	5,520	20,000	0.26	\$90.58	2003	
27. 1835 S. Sarah St	Aug 2007	\$127,000	804	7,405	0.12	\$142.06	1915	
28. 2382 S. East Ave	Aug 2007	\$65,000	1,435	9,583	0.15	\$45.30	1942	
29. 825 S. Topoka Ave	Aug 2007	\$975,000	29,950	47,480	0.63	\$32.55	1970	
30. 2811 E. Church Ave	Nov 2007	\$440,000	6,000	18,731	0.32	\$73.33	1964	

* Replacement costs rounded to the nearest dollar. Cost estimated for average quality industrial set-up or concrete block warehouse/distribution building.

FIGURE 14
SUMMARY OF SINGLE FAMILY RESIDENTIAL PROPERTY TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	22	33	39	87	40	23	214
Total \$\$ Value	\$1,083,500	\$3,108,000	\$4,421,500	\$7,407,001	\$5,642,500	\$2,998,900	\$25,641,401
Total Sq Ft Bldg	27,372	39,392	50,919	59,279	45,109	24,646	246,717

MEDIAN SALES PRICE

	2002	2003	2004	2005	2006	2007
Merger 1	\$55,750	\$58,000	\$107,500	\$135,500	\$167,000	\$111,000
City of Fresno*	\$131,000	\$162,500	\$214,000	\$270,000	\$281,500	\$255,000
Fresno County	\$137,000	\$169,000	\$220,000	\$280,000	\$295,000	\$269,000

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1	\$39.89	\$57.03	\$98.85	\$128.71	\$160.63	\$111.04
City of Fresno*	\$86.01	\$108.57	\$138.42	\$177.45	\$190.62	\$170.95
Fresno County	\$87.75	\$108.15	\$137.68	\$175.00	\$189.88	\$172.96

single-family home values are depreciated relative to the balance of the City and Fresno County.

2. Abnormally High Business Vacancies, Abnormally Low Lease Rates and an Abnormally High Number of Abandoned Buildings

a. Abnormally Low Office Lease Rates

General Office Market Characteristics

The Project Area is within the "Downtown" or "CBD" submarket, one of nine identified by the nationally-recognized real estate brokerage firm of Grubb & Ellis. The Downtown submarket is bounded by the 180, 41 and 99 Freeways. The Downtown submarket is the southern-most submarket in greater Fresno, with most of the office space in the Fresno office market being north of Freeway 180. The Fresno office market includes approximately 17.7 million square feet of space, of which just over three million square feet are located in the Downtown submarket.

Office Lease Rates

Lease rates for office space vary, depending upon the quality of the space (Class A, B or C¹⁷) and the type of lease (full service, modified gross, or triple net¹⁸). Because full service leases include the cost of all of the property-related expenses (i.e. the landlord pays all expenses), full service lease rates are generally more expensive on a per-square-foot (PSF) basis than modified gross leases, which in turn have generally higher lease rates than triple net (or NNN) leases, where the tenant pays all expenses separately. Grubb & Ellis reported an average asking full service lease rate of \$2.35 PSF for Class A space, the highest rate for the entire Fresno market area, and \$1.25 PSF for Class B space, which is the second to the lowest average among the nine submarkets.

¹⁷ See definitions for office space categories described on page 35 and in Appendix 3.

¹⁸ For full service leases, the tenant pays a base rent from which the landlord pays taxes, insurance and maintenance expenses. For modified gross (or industrial gross) leases, the tenant pays a base rent plus some expenses (such as utilities and common area maintenance) and the landlord pays the remaining expenses. For triple net leases, the tenant pays a base rent plus all operating expenses (taxes, insurance and maintenance) and utilities.

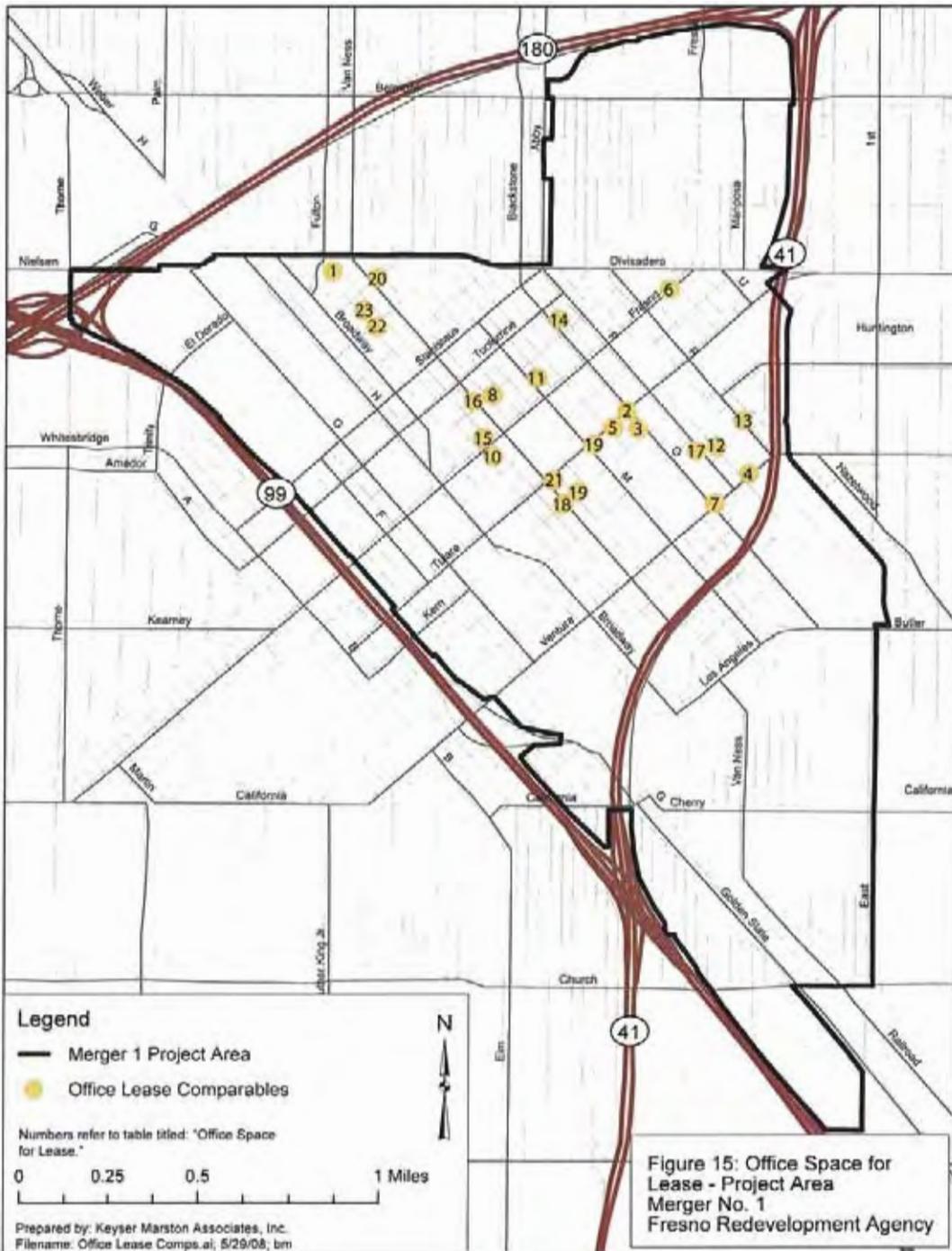
Table 15: Summary of Fresno Office Market Data – Fourth Quarter 2007

	Total Sq. Ft.	Percent of Total Space	Vacant		Asking Rent	
			Sq. Ft.	Percent	Class A	Class B
Downtown/CBD	3,062,176	17%	378,685	12.4%	\$2.35	\$1.25
Airport	1,334,992	8%	124,118	9.3%	-	\$1.21
Clovis	392,199	2%	126,215	32.2%	\$2.06	\$1.45
East Shaw	1,216,133	7%	158,656	13.0%	\$1.64	\$1.45
Midtown	2,772,045	16%	113,651	4.1%	-	\$1.21
Northeast	1,481,673	8%	132,849	9.0%	\$2.07	\$1.61
Northwest	2,865,756	16%	396,161	13.8%	\$2.17	\$1.81
West Shaw	1,503,708	8%	202,031	13.4%	\$1.55	\$1.45
Woodward	3,077,532	17%	441,702	14.4%	\$2.24	\$1.98
Totals	17,706,214	100%	2,074,068	11.7%	\$2.16	\$1.48

Asking rents are per square foot per month, full service. Source: Grubb & Ellis/Pearson Commercial: Office Market Trends Fresno, Fourth Quarter 2007

These data suggest that while the Class A office space in the Project Area is comparable and, therefore, competitive with Class A space in the rest of the Fresno office market, the Class B space is of lesser quality and is therefore, less competitive with other Class B space in the greater Fresno area.

In order to further assess office lease rates in the Project Area, data for space available for lease was obtained from Loopnet.com, an online real estate database, for properties in the Project Area and the Fresno market area between February and May 2008. For the Project Area, a total of 21 listings were identified for Class A and B space, representing 394,313 square feet of available space. The location of the space for lease is shown on Figure 15 and a list of the space is included in Appendix 5A. For the balance of the City, a total of 37 listings were identified representing a total of 329,752 square feet of available space, excluding other redevelopment areas within the City. The location of this space is shown on Figure 16 and the list of space available is included as Appendix 5B.



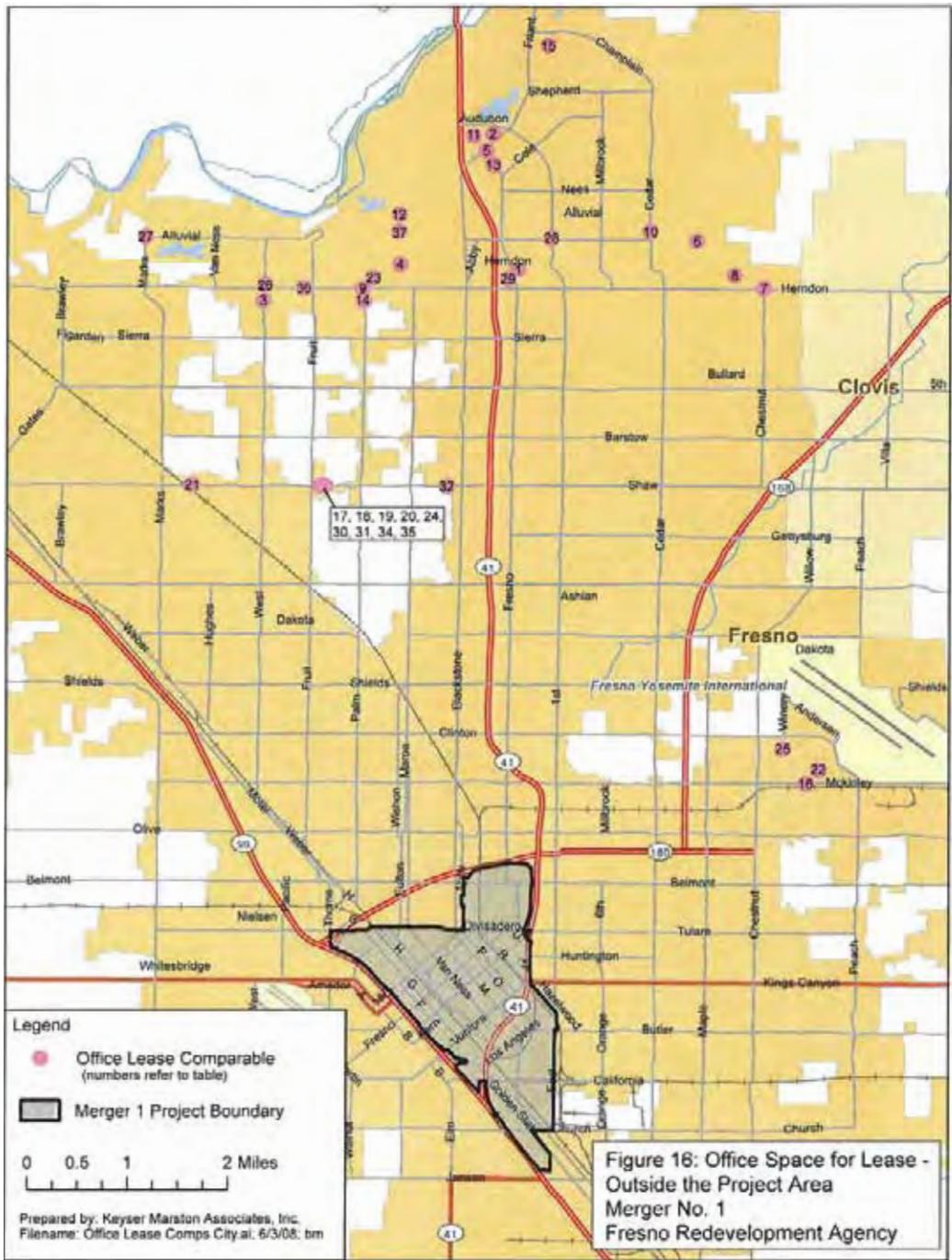


Table 16: Summary of Office Space for Lease

	Project Area		City of Fresno	
	No. of Listings	Total Avail. Sq. Ft.	No. of Listings	Total Avail. Sq. Ft.
Class A				
Full Service	0	0	2	6,098
Modified Gross	3	46,583	2	15,712
Triple Net (NNN)	4	142,583	11	171,510
Total Class A	7	189,166	15	193,320
Class B				
Full Service	5	53,977	6	55,050
Modified Gross	9	151,170	8	40,364
Triple Net (NNN)	0	0	8	41,018
Total Class B	14	205,147	22	136,432
Combined Totals	21	394,313	37	329,752

Source: Grubb & Ellis/Pearson Commercial Office Market Trends Fresno, Fourth Quarter 2007.

For both the Project Area and the balance of the City, the majority of available Class A space was offered under NNN leases. For Class B space, the majority of space in the Project Area was offered under modified gross leases. For the balance of the City, the distribution of available space was more equal amongst the three lease types.

The average asking lease rates for Class A space in the Project Area was comparable and slightly higher than the average for the balance of the City, suggesting that Class A space in the downtown is considered desirable. However, the asking rates for Class B space in the Project Area were well below the asking rates for the balance of the City. For example, asking rates for space available on a modified gross basis, which represents the majority of available Class B space in the Project Area was \$1.32 PSF versus \$1.56 in the balance of the City, or 15 percent lower. The asking rate for Class B full service lease space in the Project Area was \$1.24 PSF, at 19 percent less than the \$1.53 average for the balance of the City (see Table 17).

Table 17: Comparison of Average Asking Lease Rates

	Project Area		City of Fresno	
	Asking Rate	Percent of Total SF	Asking Rate	Percent of Total SF
Class A				
Full Service	--		\$2.30	
Modified Gross	\$1.66		\$1.61	
Triple Net (NNN)	\$1.91		\$1.86	
Class B				
Full Service	\$1.24		\$1.53	
Modified Gross	\$1.32		\$1.50	
Triple Net (NNN)	--		\$1.48	

Source: Loopnet

b. Abnormally Low Industrial Lease Rates

In order to assess industrial lease rates in the Project Area, listings of available industrial space for lease were obtained from Loopnet.com for the City of Fresno. There were only seven listings posted during the period of March through mid May of 2008 in the Project Area (see Table 18 and Figure 17). Though there were too few listings to be statistically analyzed, some general observations could be made about the available space in the Project Area. All but one of the seven listings was located within the South Van Ness Industrial area. The South Van Ness Industrial area includes a mix of industrial, commercial and residential uses. Much of the industrial building stock is considered functionally obsolete. As described in the 1997 Preliminary Report for the adoption of the South Van Ness Industrial Redevelopment Project, several factors have contributed to this obsolescence:

- Changes in transportation methods (greater reliance on truck transportation rather than rail);
- The development of modern industrial parks with larger lots and well designed truck loading and access;
- Changes in the design of industrial buildings and the age of the industrial building stock (built primarily between 1920 and 1950);

- Incompatible adjacent land uses, especially residential properties adjacent to industrial uses; and
- The streets in the area are in poor condition and do not provide efficient routes through the area.

All of these conditions contribute to this area's reduced desirability relative to planned industrial developments in the City.¹⁹ The square footage of the spaces available ranges from 1,200 to 30,000 square feet, though five of the seven listings were for spaces that were smaller than 10,000 square feet. Asking lease rates ranged from \$0.30 to \$0.59 per square foot. The average asking rate was \$0.29 per square foot.

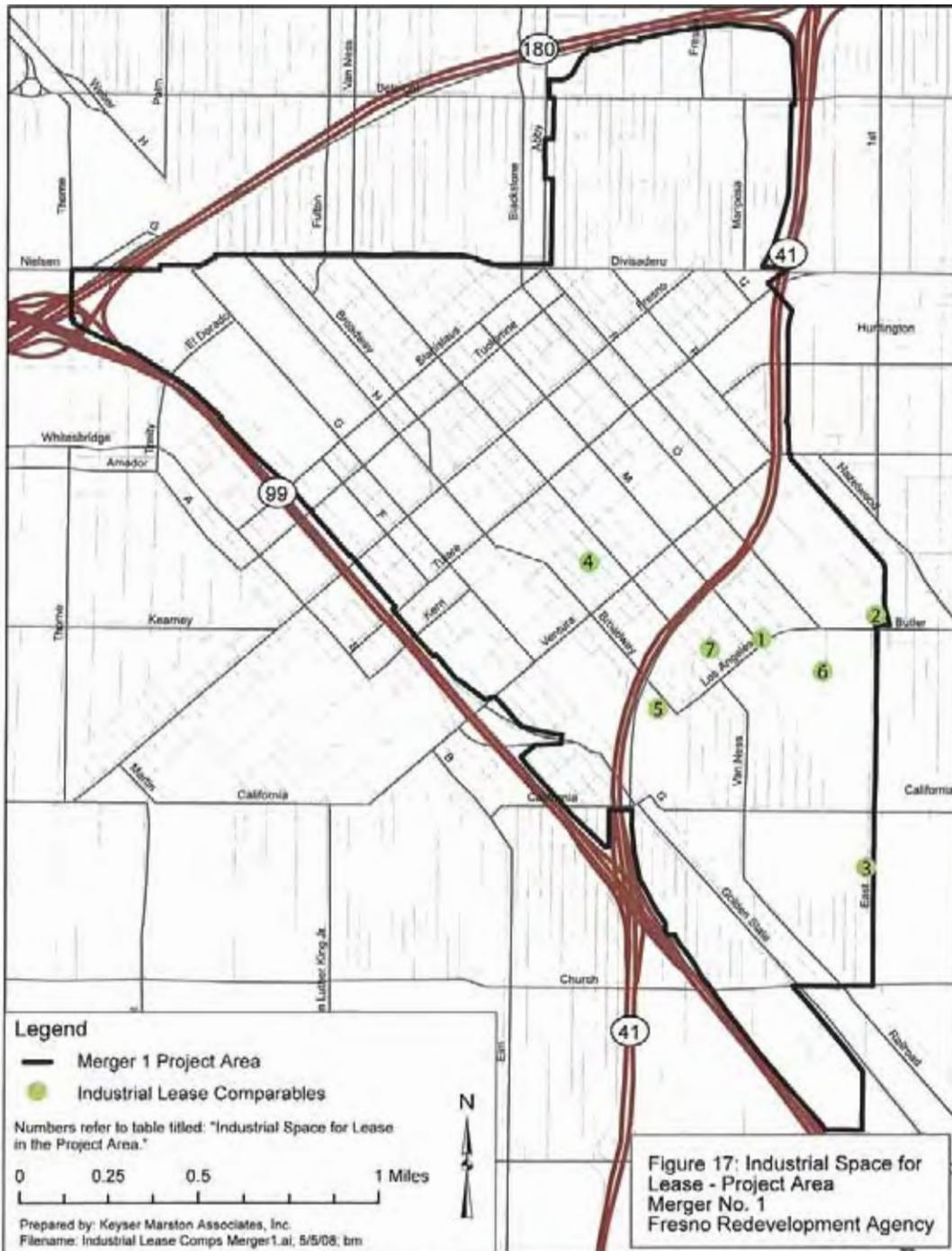
These data were compared to the listings for the balance of the City. A total of 72 comparison listings were found (see Figure 18 for a map of the industrial lease comparables and Appendix 5C for a list of space available). These listings were located throughout the City, though most were located north of the 180 Freeway. Many were located in modern industrial business parks. Asking rates ranged from a low of \$0.16 to a high of \$1.15, though most were between \$0.40 and \$0.60 per square foot and the overall average asking rate was \$0.49 per square foot. These data indicate that industrial lease rates are abnormally low relative to average of \$0.49 per square foot, or 41% less than industrial space in the balance of the City.

Table 18: Industrial Space for Lease in the Project Area

Address	Space Available	Total Space/ GLA	Year Built	Asking Rent (sq. ft./month)	Space Type	Lease Type
1. 2305 Los Angeles St	6,550	6,600	1947	\$0.43	Distribution Warehouse	Full Service
2. 1240 S. Parallel Ave	9,650	9,650	1940	\$0.28	Manufacturing	Full Service
3. 2272 S East Ave	30,000	30,000	1960	\$0.30	Distribution Warehouse	Mod. Gross
4. 745 Fulton St	9,518	9,518		\$0.55	Office Showroom	Mod. Gross
5. 240 H. St	1,200	15,000		\$0.42	Warehouse/ Mixed-Use	Mod. Net
6. 1626 S Pearl St	17,500	17,500	1989	\$0.30	Warehouse	Ind. Gross
7. 2130 Monterey St	4,246	4,246		\$0.59	Warehouse	NNN

Source: Loopnet.com

¹⁹ Source: Keyser Marston Associates, Inc.: Preliminary Report, South Van Ness Industrial Redevelopment Project, August 27, 1997, pages 15-16.



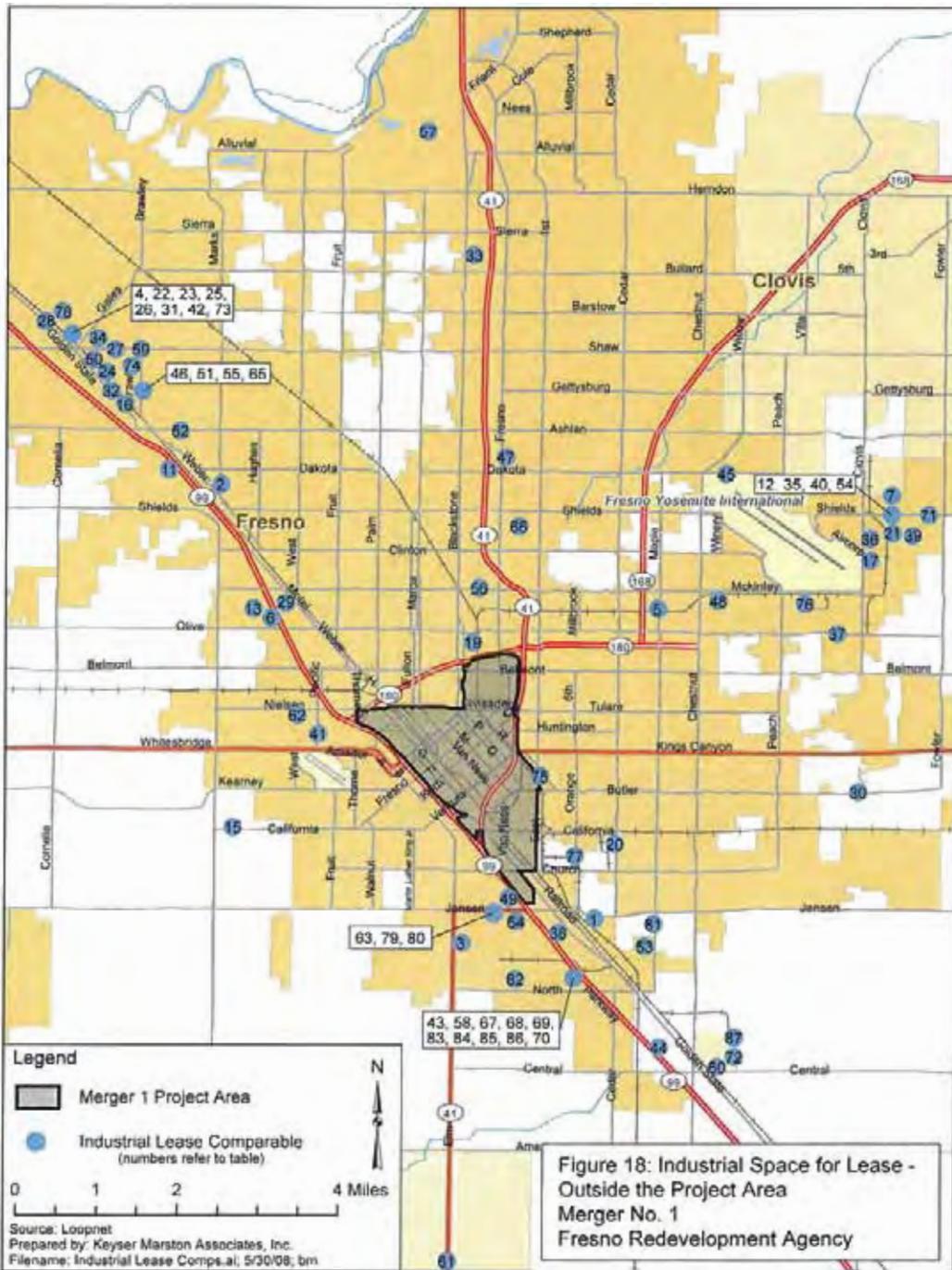


Figure 18: Industrial Space for Lease - Outside the Project Area
 Merger No. 1
 Fresno Redevelopment Agency

c. An Abnormally High Number of Vacant Buildings

According to the real estate brokerage firm of Colliers Tingey, the vacancy rate in the central core was 26 percent in 1994. While that vacancy rate has gone down considerably to approximately 10 percent in 2008, there are still a large number of vacant buildings in the Project Area.

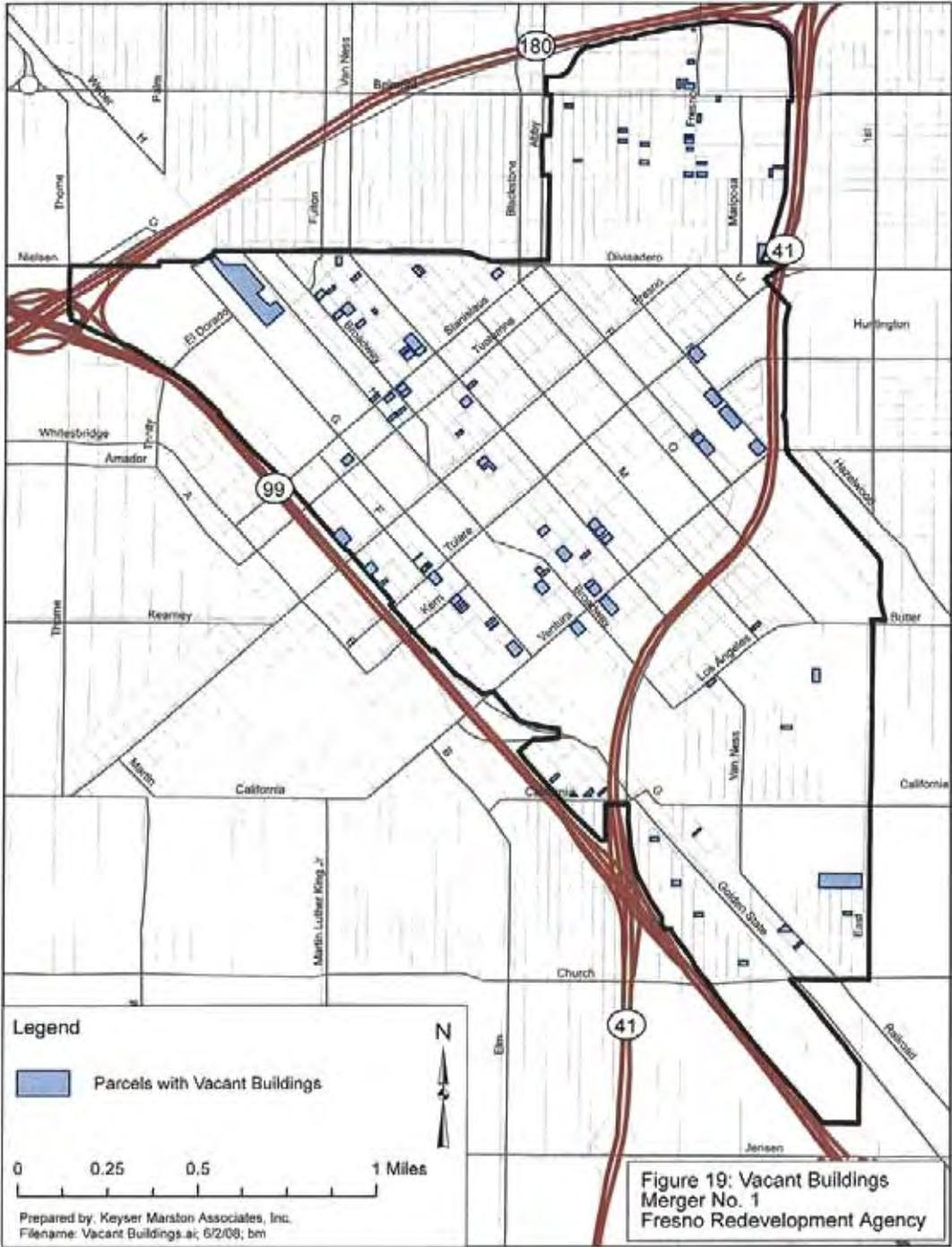
During the field survey, 108 vacant buildings were identified (see Figure 19). Many of these vacant buildings are in poor condition and have been boarded up. Not only do these buildings become nuisances when they fall into disrepair, they can also attract vagrants and illegal activities. As described in the previous subsection describing serious code violations, some of the vacant buildings are so dangerous that the fire department has to be warned of safety hazards such as collapsing floors and ceilings before they could enter in an emergency. According to the National Fire Protection Association (NFPA) two-thirds of fires in vacant properties were incendiary or suspicious, accounting for three-quarters of direct property losses in this category. Between 1993 and 1997, there were 5.8 fire fighter injuries per 100 special structure (including vacant buildings and buildings under construction) fires per year compared to 1.9 injuries per fires at structure fires in general.²⁰

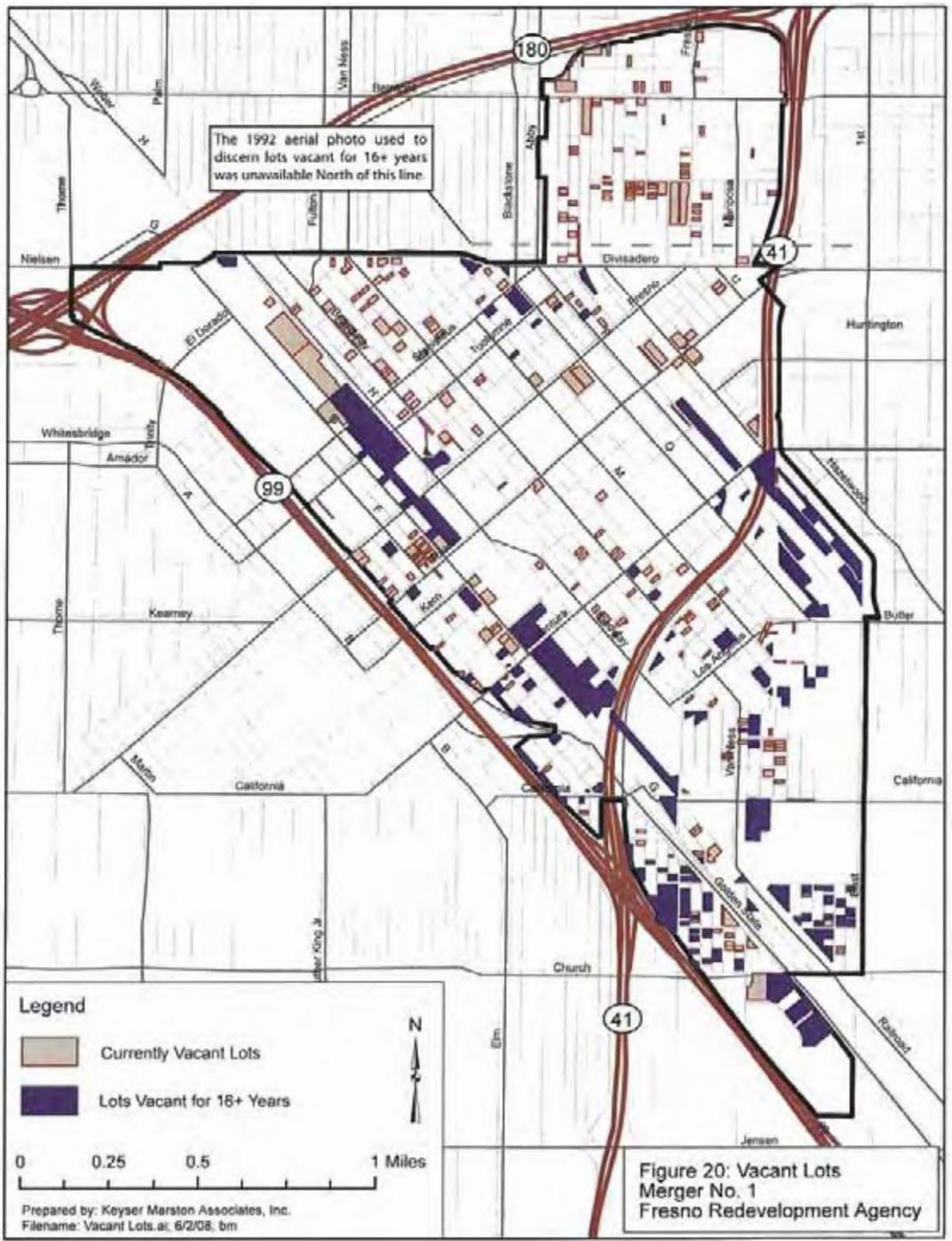
d. Excessive Vacant Lots (definition of blight at plan adoption)

The Project Area has a significant number of vacant lots, many of which have been vacant for long periods of time. As can be seen in Figure 20, the lots are scattered throughout the Project Area, but there are concentrations of them in the Jefferson, West Fresno I, West Fresno II, West Fresno III, Chinatown Expanded, and South Van Ness Industrial areas. In total, there were 501 vacant lots identified during the field survey, representing 18 percent of the parcels in the Project Area. These data are indicative of the excessive vacant lots and lack of investment in the Project Area.

In order to identify lots that have been vacant for a long time, aerial photos of the Project Area taken in 1992 were compared to aerial photos taken in 2005 and the 2008 field survey data, and lots that were vacant in both photos and thus have been vacant for 15 years were identified. The lots that have been vacant for at least 15 years are illustrated on Figure 20. A total of 165 vacant lots have been vacant for 15 years or more, representing 36 percent of the vacant lots and 6 percent of the parcels in the Project Area.

²⁰ Source: "Fighting Vacant Building Fires Presents Fire Fighters with Unique Dangers", City of Fresno, Public Information Office News Release, March 8, 2006.





3. A Lack of Necessary Commercial Facilities Normally Found in Neighborhoods

a. Lack of Supermarkets

An analysis of the location and number of supermarkets in the Project Area and vicinity reveals that there is a lack of necessary supermarkets. These findings are consistent with the findings of multiple studies of the availability of supermarkets and the impact of inadequate supermarkets on diet and health in low income communities. For example, the California Center for Public Health Advocacy (CCPHA) cited limited access to healthy foods in low-income neighborhoods as one of the causes of childhood obesity.²¹ CCPHA completed an analysis of the rates of childhood obesity in California by State Assembly District. The Project Area and most of the City of Fresno are within Assembly District 31. In Assembly District 31, between 26.6 and 30.3 percent of children are overweight.²² A Los Angeles-area study conducted by the Center for Food Justice (CFFJ) at Occidental College revealed that the most common places to buy food in the low income neighborhoods studied were carryout/fast food restaurants and convenience/liquor/corner stores. While the small convenience stores tend to provide certain dietary staples at low prices (such as milk and bread) they also tend to offer fewer healthy food choices and more nutritional foods such as fresh meats and vegetables tend to be of lower quality.²³

In order to assess the number of supermarkets serving the Project Area, supermarkets throughout the City were identified using web-based directories and field survey data. The locations of the supermarkets are shown on Figure 21 and the supermarkets are listed on Table 19. The terms "grocery store" and "supermarket" may have a variety of meanings depending upon the context. The definitions used in this analysis are based upon the definitions used by the Food Marketing Institute. For the purpose of this analysis, a "supermarket" was defined as a grocery store with a full line of groceries, meat, produce, and some general merchandise and health and beauty products with at

²¹ Source: California Center for Public Health Advocacy (CCPHA): Legislative District Policy Brief No. 1, 'Overweight and Unfit Children in California Assembly Districts, page 2. Policy Brief downloaded from the CCPHA website: http://www.publichealthadvocacy.org/policy_briefs/study_documents/Policy_Brief1.pdf.

²² CCPHA, page 4, Map A.

²³ Source: DFFJ, Urban and Environmental Policy Institute, Occidental College. "The Persistence of L.A.'s Grocery Gap: The Need for a New Food Policy and Approach to Market Development." May 28, 2002, pages 16-17.

least 25,000 to 40,000 square feet of floor area.²⁴ As shown on Figure 21, there is a somewhat regular distribution of supermarkets roughly every two miles throughout most of the City north of the 180 Freeway. However, south of the 180 Freeway, there are only three supermarkets, two of which serve the Project Area.

In order to estimate the number of supermarkets that the Project Area would currently support, an analysis that projected the amount of aggregate household income that would be available for spending in supermarkets within the Project Area was prepared (see Table 20). The percent of household income spent on groceries was estimated based upon the results of a survey²⁵ in low income neighborhoods in South Central Los Angeles, the results of which were published in 1993 under the auspices of the University of California, Los Angeles (UCLA). Entitled *Seeds of Change: Strategies for Food Security for the Inner City*, this study found that the typical low income household spent 35 percent of household income²⁶ on groceries.

Typically, a supermarket draws customers from a 1-3 mile radius. In order to identify the supermarkets that would serve residents within the Project Area, supermarkets that were within a 2-mile radius of the intersection of Van Ness Avenue and Inyo Street near the center of the Project Area were identified. There were two supermarkets identified that are within the 2-mile radius, serving an estimated population of 73,178 in 18,302 households. As shown on Table 20, the Project Area and vicinity could support five supermarkets in 2008, indicating that there is a deficit of three supermarkets.

In five years (2013), based upon the projected population and estimated aggregate household income, the Project Area and vicinity should be able to support a total of six supermarkets. In short, the Project Area and immediate vicinity could support more than double the number of supermarkets currently within the two-mile radius market area.

²⁴ Three stores that would be considered "mini-club" stores (Smart & Final) were also included as supermarkets for purposes of this analysis because their selections more closely resembles that of a supermarket despite the fact that the floor area of one store was smaller than 25,000 square feet (approximately 16,500 square feet) and typically the range of goods offered at these stores is more limited. Two of the supermarkets (a Save Mart and a Food Maxx) also had estimated building square footages that were under 25,000 square feet but were also included in the analysis. The source of food store definitions is the Food Marketing Institute websites at: http://www.fmi.org/facts_figures/fuseaction=superfact.

²⁵ The survey was part of a comprehensive analysis of food resources in South Central Los Angeles completed by six graduate students and supervised by two professors. *Seeds of Change: Strategies for Food Security for the Inner City* (Los Angeles: University of California, Los Angeles, 1993) pages 162-163.

²⁶ The 1998 Report assumed a smaller portion of household income would be expended on grocery store purchases based upon national average figures. However, given that typically households will purchase necessities as a priority and forgo non-essentials if necessary, it is reasonable to assume that lower income households will spend a higher proportion of their income on groceries. Given that the assumptions used in the current analysis are based upon actual expenditures in a low income neighborhood in California rather than national averages, they are presumed to be more reflective of actual expenditures in the Project Area.

Table 19: Supermarkets in the City of Fresno

No.	Name	Address	Store SF*
1.	Save Mart	2425 N Blackstone Ave	21,300
2.	Save Mart	5750 N 1st St	41,300
3.	Save Mart	4043 W Clinton Ave	50,900
4.	Save Mart	6055 N Figarden Dr	50,300
5.	Costco	4500 W Shaw Ave	137,200
6.	Food-4-Less	8921 N Chestnut Ave	62,500
7.	Food Maxx	1177 Fresno St	57,000
8.	Food Maxx	5422 N Blackstone Ave	82,000
9.	Save Mart	1625 N Fruit Ave	21,000
10.	Save Mart	4120 N West Ave	34,100
11.	Save Mart	2650 E Shaw Ave	60,000
12.	Save Mart	7075 N Marks Ave	38,600
13.	Save Mart	2068 W Bullard Ave	36,200
14.	Save Mart	1107 E Champlain Dr	49,100
15.	Save Mart	3750 W Shields Ave	39,300
16.	Save Mart	6797 N Milburn Ave	66,000
17.	Save Mart	4041 E Ashlan Ave	34,100
18.	Smart & Final	5700 N Blackstone Ave	51,100
19.	Smart & Final	3330 W Shaw Ave	27,000
20.	Smart & Final	631 H St	16,500
21.	Trader Joe's	5376 N Blackstone Ave	30,800
22.	Vons	1650 E Herndon Ave	55,500
23.	Vons	8949 N Cedar Ave	57,000
24.	Vons	7733 N 1st St	39,100
25.	Vons	4343 N Blackstone Ave	42,600
26.	Vons	3850 N Cedar Ave	46,000
27.	Vons	5638 E Kings Canyon Rd	62,300
28.	Whole Foods	650 W Shaw Ave	26,900
29.	Win Co Foods	4468 W Shaw Ave	44,400

Store square footage estimated from aerial photos.
Source: Switchboard.com

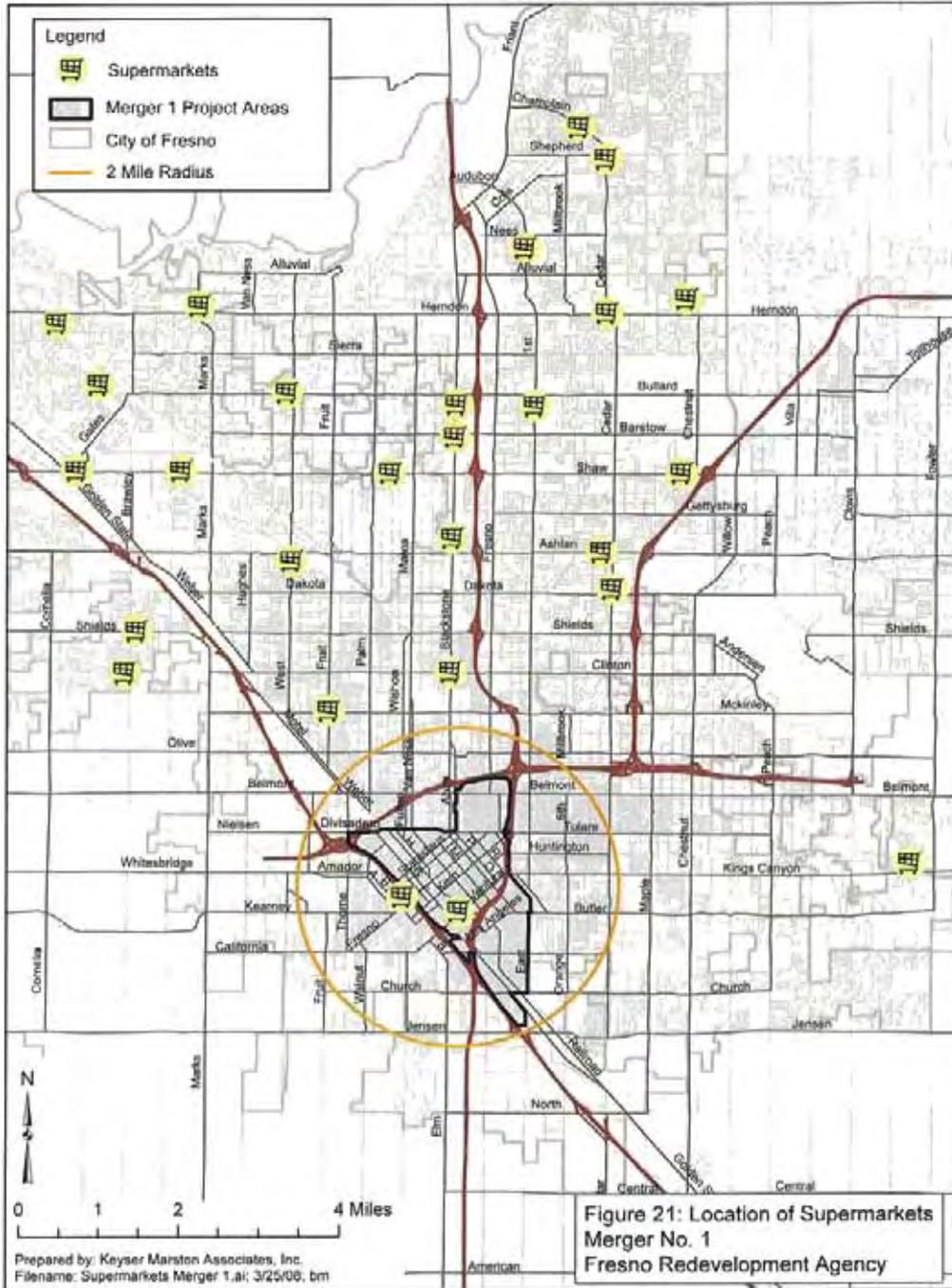


Table 20: Estimated Number of Supportable Supermarkets

	2008 (Estimated)	2013 (Projected)
Study Area No. of Households	18,302	18,983
Median Household Income	\$23,621	\$27,400 ¹
Est. aggregate household (HH) income	\$432,311,500	\$520,141,000
Est. household income spent on groceries ² at 35%	\$151,309,000	\$182,049,400
Less estimated percent of grocery budget spent at small markets and specialty stores 25%	(\$37,827,250)	(\$45,512,350)
Aggregate HH income spent at supermarkets	\$113,481,750	\$136,537,050
Number of grocery stores supportable in the Project Area and vicinity at \$21.9 million in sales per store ³	5	6
No. of supermarkets serving the Project Area (2-mile radius)	2	2
Supermarket surplus/(deficit)	(3)	(4)

NOTES

¹2008 median household income adjusted at 3% inflation per year.

²Based upon the results of a survey of food cost for the USDA Thrifty Food Plan based upon the average weekly consumption for a family of four. Survey conducted under the auspices of the University of California Los Angeles (UCLA) by Ashman et al as reported in "Seeds of Change" Study, 1993.

³Based upon the median average weekly sales per supermarket in 2008 as reported by Kroger (Ralphs and Food 4 Less), Albertsons and Safeway.

Another way of examining the number of supermarkets serving the Project Area and immediate neighborhood is to examine the ratio of supermarkets to population. As shown in Table 21, there are 2.7 supermarkets per capita (100,000) serving the Project Area while there are more than twice as many (6.2 per 100,000) serving the City overall. There is one supermarket serving every 36,600 persons in the Project Area and vicinity but one per every 16,200 serving the City overall.

Given the estimated number of supermarkets that the area could support versus the number of supermarkets in the Project Area, and the disproportionate number of persons per supermarket relative to the number and location of supermarkets in the City overall, these data are indicative of the lack of necessary supermarkets serving the Project Area.

Table 21: Comparison of Supermarkets and Population

	Project Area (2-mile radius)	City of Fresno
Population	73,178	470,179
No. of supermarkets	2	29
Supermarkets per capita (per 100,000)	2.7	6.2
No of persons per supermarket	36,600	16,200

Source: Claritas, Switchboard.com

4. Serious Residential Overcrowding That Has Resulted in Serious Public Health or Safety Problems

Based upon the most commonly accepted definition of overcrowding, which is used by the U.S. Department of Housing and Urban Development (HUD), an overcrowded housing unit is one which has more than 1.0 person per room.²⁷ A severely overcrowded unit is one which has more than 1.50 persons per room.

The 1998 Report included a comparison of the percentage of housing units that were overcrowded in the Project Area census tracts to the percentage for the City as whole, based upon 1990 census data. Results indicated that while one third of the housing units in the Project Area were overcrowded, only 22 percent of housing units in the City were overcrowded. Thirteen percent of the housing units were severely overcrowded in the Project Area while just over 7 percent of housing units in the City were severely overcrowded. These data indicated that the problems of overcrowding, which affect many communities in California, were especially severe in the Project Area, where the percentage of overcrowded housing units is more than 2.5 times higher than the percentage of overcrowded housing units in the City as a whole.

²⁷ The definition of "room" excludes bathrooms, laundry rooms, utility rooms, pantries, and unfinished rooms.

According to the American Public Health Association (APHA) and the Centers for Disease Control and Prevention (CDC)²⁸ residential overcrowding most directly affects physiological and psychological needs of human beings, namely the fundamental physiological need for adequate space for exercise and for children to play, and the fundamental psychological need for: 1) adequate privacy for the individual; 2) opportunities for normal family life; 3) opportunity for normal community life; 4) facilities for maintenance of cleanliness of the dwelling and the person; and 5) concordance with prevailing social standards of the local community.²⁹ According to the APHA's Committee on the Hygiene of Housing, repeated studies have shown that lack of space and quiet due to crowding can lead to poor school performance in children.³⁰

Overcrowding may also negatively affect another fundamental need: protection against disease. Adequate living and sleeping space is important in protecting against contagion. Overcrowding [excessive crowding] in homes has the potential to increase not only communicable disease transmission, but also the stress level of occupants because modern urban individuals spend considerably more time indoors than did their 1940s counterparts when the first housing census was conducted.³¹

The stressors associated with overcrowding and housing affordability also contribute to health problems of residents. An article published in the American Journal of Preventative Medicine describes it thusly:

"Today, housing quality and overcrowding problems are less severe than in the past, but they have not vanished and they have been joined by another significant housing challenge: affordability. A sizable share of the households in these troubled neighborhoods pays more than half of their incomes for rent. Given restricted incomes and the paucity of housing subsidies, these households are living on the edge. Any illness or family

²⁸ According to the *Healthy Housing Reference Manual* published by the Centers for Disease Control and Prevention (CDC), people spend 50 percent or more of every day inside their homes and thus their housing environment constitutes one of the major influences on health and well-being. According to the CDC Manual, the link between housing and health were elucidated more than 60 years ago by the American Public Health Association (APHA) Committee on the Hygiene of Housing (CHH). In 1938, the CHH created the *Basic Principles of Healthful Housing*, which provided guidance regarding the fundamental needs of humans as they relate to housing. These fundamental needs include physiological and psychological needs, protection against disease, protection against injury, protection against fire and electrical shock, and protection against toxic and explosive gases.

²⁹ The nine fundamental physiological needs are listed on pages 2-1 and the seven fundamental psychological needs for healthy housing are listed on pages 2-3 of the *Healthy Housing Manual*.

³⁰ *Healthy Housing Manual* (Washington, D.C.: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2006), pages 2-3.

³¹ *Healthy Housing Manual*, pages 2-5.

disruption that causes them to lose their income stream even temporarily can lead quickly to eviction.... It has been shown that stress brought about by living in crime-ridden areas can undermine health and that the impact gets more serious the longer one is exposed. It is not unreasonable to assume that prolonged stress brought about by recurrent fear of homelessness works the same way.³²

An analysis of 2000 census data for the census tracts overlaying the Project Area (see Table 22 and Figure 22) revealed that overcrowding has increased in the Project Area. As shown in Table 22, in the Project Area 11 percent of housing units are considered overcrowded and 27 percent are severely overcrowded.

Table 22: Residential Overcrowding

Persons Per Room	Project Area*		City of Fresno		Fresno County	
	# of Units	% of Total	# of Units	% of Total	# of Units	% of Total
1.00 or Less (Ideal)	2,081	63%	116,269	83%	209,631	83%
1.01 – 1.50 (Overcrowded)	356	11%	10,140	7%	18,364	7%
1.51 or more (Severely Overcrowded)	869	27%	13,522	10%	24,945	10%
Total	3,326		139,951		252,940	
Overall Percent of Overcrowded Units		37%		17%		17%

³² U.S. Census block groups. Percentages may not add due to rounding.
Source: U.S. Census Bureau

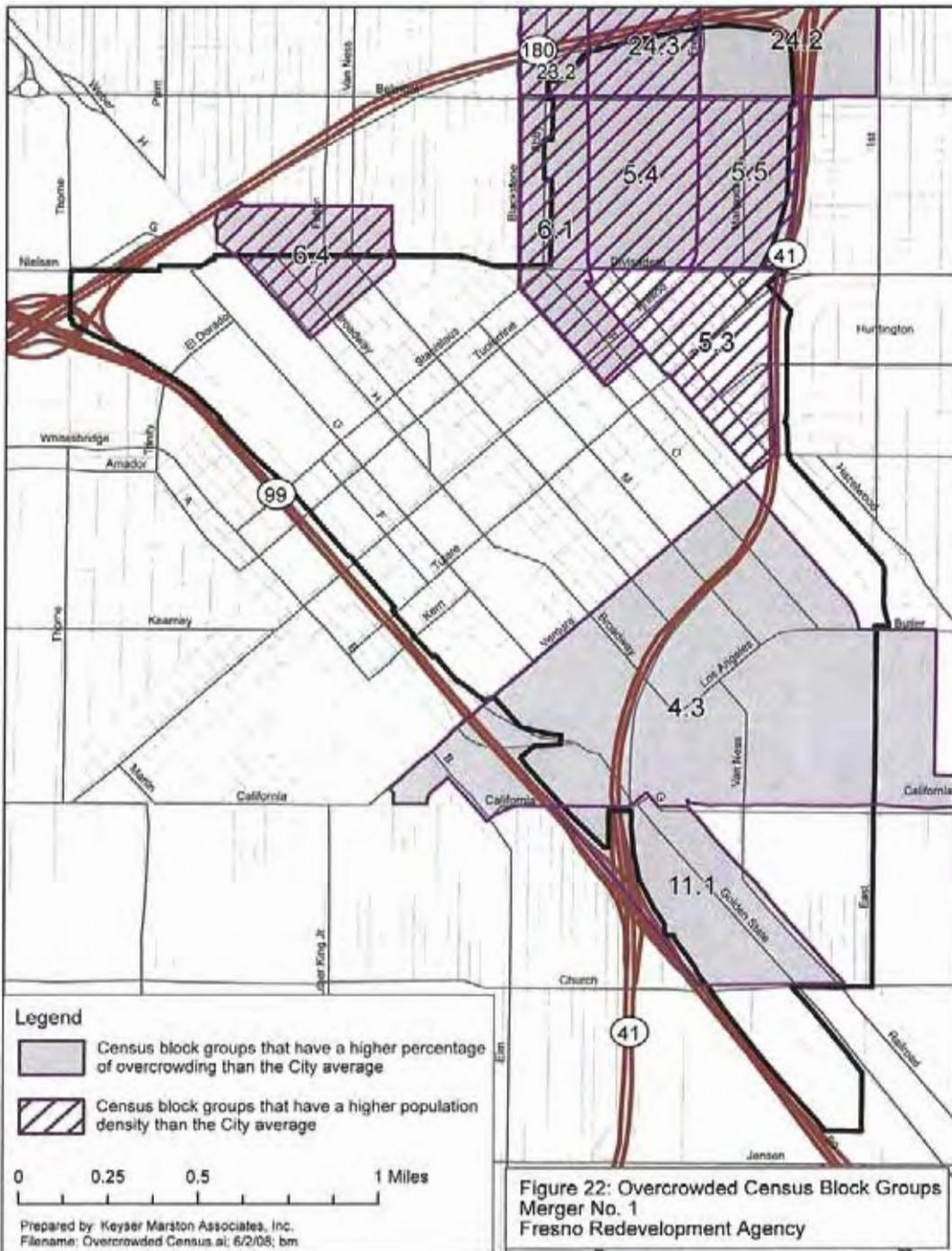
The overall percentage of overcrowded units in the Project Area is more than twice that for the City and the County.

Further evidence of overcrowding can be discerned from the population densities within the census block groups that overlay the Project Area. As shown in Table 23, there are 16 census block groups that overlay the Project Area.³³

The percentage of the housing units that are overcrowded exceeds the Citywide average (17 percent) in 9 of the 16 census block groups. In 4 of the 6, more than half of the

³² G. Thomas Kingsley, MCP, "Housing, Health, and the Neighborhood Context," *American Journal of Preventive Medicine* 2003, Vol. 24, No. 3S, pages 6-7.

³³ One census tract, number 12.01.1, was excluded from this analysis because it includes only a very small portion of the Project Area.



housing units are overcrowded. The 4 tracts with more than 50 percent of the units being overcrowded account for a significant portion of the Jefferson area, which has the highest number of residents among the Constituent Project Areas and a total of 1,302 or 39 percent of the housing units in the Project Area.

Table 23: Percent of Overcrowded Occupied Housing Units and Population Density

Census Block Group	Related Subarea(s)	Total Housing Units	Percent of Housing Units Overcrowded	Population Density (Persons/Acre)*
1.1	Fulton	14	0%	358
1.2	Fulton, CBD	352	2%	13,310
2.1	West Fresno I & West Fresno II	-	NA	0
3.1	Chinatown Expanded	75	0%	842
4.3	Convention Center, Chinatown Expanded, South Van Ness Ind.	215	46%	1,654
5.3	Mariposa	354	13%	5,959
5.4	Jefferson	428	56%	12,420
5.5	Jefferson	390	68%	14,192
6.1	Mariposa, Fulton	239	44%	5,893
6.2	Convention Center, Mariposa	-	NA	206
6.3	Fulton	34	0%	3,236
6.4	Fulton	405	23%	9,158
11.1	South Van Ness Ind.	82	45%	2,000
23.2	Jefferson	107	52%	5,156
24.2	Jefferson	254	30%	3,768
24.3	Jefferson	377	50%	11,688
Project Area		3,326	37%	4,553
City of Fresno		139,951	17%	4,329

Density and City total acreage based upon 2005 population and acreage. Census block groups shown in bold have a higher percentage of housing units that are over crowded than the Citywide average.
Source: Claritas, City of Fresno, U.S. Census

In addition, conditions that are typical indicators of overcrowding were noted during the field survey. These conditions included:

- Trailers or RVs used as permanent housing
- Garage conversions
- Abundant or excessive open storage
- Excess vehicles parked on lawns

There were a total of 498 incidents of these conditions noted affecting 400 or 14 percent of parcels in the Project Area.

These data indicate that the Project Area has a significant number of overcrowded housing units and that overcrowding is continuing to become a more severe problem. The high levels of overcrowding coupled with the deteriorated condition of many of the housing units (as described herein and shown on Figure 6) and high levels of code complaints, indicate that there are unsafe, unhealthy and overcrowded living conditions in portions of the Project Area.

5. An Excess of Bars, Liquor Stores and Other Liquor Outlets

The links between the availability of alcohol and threats to the public health and safety have been well established throughout the U.S. Problems such as traffic accidents and fatalities, homicides and violent assaults have been shown to be aggravated by the use of alcohol.³⁴ An article published in *USA Today* described the crackdown on drunk driving instituted in the City of Fresno to reduce driving fatalities where alcohol is involved by setting up checkpoints and bar sting operations.³⁵

In order to promote temperance in the use and consumption of alcoholic beverages, and to protect the safety, welfare, health, peace, and morals of the people of California, the State Legislature enacted Section 23000 et seq. of the California Business and Professions Code, i.e., the "Alcoholic Beverage Control Act." The regulations are administered by the California Department of Alcoholic Beverage Control (ABC) throughout California. The ABC reviews applications for licenses to sell or distribute alcoholic beverages and controls the number of licenses issued. ABC retail licenses fall into two broad categories: "on-sale" licenses for the sale of alcoholic beverages to be consumed on the premises of the sale and "off-sale" licenses for the sale of alcoholic beverages to be consumed off the premises of the sale. The most common types of retail licenses are summarized on Table 24.

³⁴ An analysis of the prevalence of alcohol involvement in crime by the U.S. Department of Justice found that an estimated 32 percent of fatal accidents involved an intoxicated driver or pedestrian (the majority were drivers). Among violent crime victims who provided information about the offender's use of alcohol, 35 percent of the victimizations involved an offender who had been drinking. Among victims who suffered violence by an intimate (a current or former spouse, boyfriend or girlfriend), two-thirds reported the offender had been using alcohol. Source: *Alcohol and Crime. An Analysis of National Data on the Prevalence of Alcohol Involvement in Crime* (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, revised April 28, 1996, pages v and vi.

³⁵ Copeland, Larry, "Some see Fresno's DUI crackdown as a model," *USA Today*, 6 November 2006, downloaded March 25, 2008 at: http://www.usatoday.com/news/nation/2006-11-05-fresno-dui-model_x.htm

Table 24: Types of Retail Alcoholic Beverage Licenses

License Type	Description
On-Sale General	Authorizes the sale of all types of alcoholic beverages (beer, wine and distilled spirits) for consumption both on the premises and the sale of beer and wine for consumption off the premises. Bars and restaurants that serve alcohol would be included in this category.
Off-Sale General	Authorizes the sale of all types of alcoholic beverages for consumption off the premises in original, sealed containers. Supermarkets and liquor stores generally fall into this category.
On-Sale Beer and Wine	Authorizes the sale of all types of wine and malt beverages for consumption on and off the premises. Typical businesses in this category include restaurants that serve beer and wine only.
Off-Sale Beer and Wine	Authorizes the sale of all types of wine and malt beverages for consumption off the premises in original, sealed containers. Mini- and quick-stop markets (i.e. 7-Eleven or an AM-PM Mini Mart) would fall into this category.

Source: ABC website at: http://www.abc.ca.gov/permissions/licenses6_req.html

The ABC has the authority to refuse to issue a license under certain conditions and may also place restrictions on the operations of a licensee. For example, the ABC may limit the hours of operation or impose other restrictions to alleviate objections to the premises' operation. Such restrictions have been imposed on operations in the vicinity of churches, schools and residential areas.

In addition to regulating the types of establishments that sell alcohol and their operations, there are also restrictions on the number of licenses that may be issued at any one time based upon the number of licenses per capita city-wide and/or county-wide. The ABC may limit the number of new licenses issued to conform to those limits. As shown in the following table, the number of on-sale general and off-sale general licenses are limited on a county-wide basis; the number of off-sale beer and wine licenses is limited on a city-wide and county-wide basis; and the number of off-sale beer and wine and off-sale general licenses combined is limited on a city-wide and county-wide basis. Nevertheless, the control of licenses on a city- or county-wide basis does not prevent over-concentration of liquor outlets within specific communities. Furthermore, the ABC does not impose a limit on the number of on-sale beer and wine licenses in a county or a city. As shown on Table 25, the Project Area includes a significantly higher proportion of liquor outlets than the City and the County overall.

Table 25: Comparison of Alcohol License Ratios

License Type and Limit	ABC Limit	Project Area	Fresno City	Fresno County
On-Sale General (limit per 2,000 persons Countywide)	1	2.25	0.97	0.78
Off-Sale General (limit per 2,500 persons County)	1	2.11	1.24	0.97
Off-Sale Beer and Wine (limit per 2,500 persons City and County)	1	3.51	1.55	1.57
Off-Sale Beer and Wine AND Off-Sale General (limit per 1,250 persons City and County)	1	2.81	1.4	1.27
On-Sale Beer and Wine per 1,000 persons	NA	1.59	0.68	0.60
Retail Licenses per 1,000 persons	NA	4.97	2.26	2.01

NA = not applicable. Sources: 2007 Population estimates from Ciantas; ABC license data from the ABC website: <http://www.abc.ca.gov/>

While the number of on-sale and off-sale licenses in the County are below the ABC limits, the number of such licenses within the Project Area is more than double the ABC limit. While the number of off-sale licenses (both general and beer and wine) exceed the ABC limits in both the City and the County overall, the number of licenses within the Project Area is more than double the rate of licenses in the City and the County. While the higher concentration of on-sale licenses may be attributable to the high daytime population in the City's downtown that would frequent restaurants and bars, this would not account for the higher proportions of off-sale licenses. In addition, the overall number of retail alcohol licenses per capita (per 1,000) in the Project Area is more than double the number for both the City and County. These data indicate that there is an over-concentration and excess of retail outlets for alcohol in the Project Area.

6. A High Crime Rate That Constitutes a Serious Threat to the Public Health and Safety

The 1998 Report included an analysis of per capita crime rates (per 100 persons) in the Project Area census tracts in comparison to the crime rate Citywide for a one-year period (November 1995 through October 1996). The crime rate in the Project Area was over 89 percent higher, at 36.78 versus only 20.83 percent Citywide.

Crime data was obtained from the Fresno Police Department (FPD) for the period 1998-2006. As shown in Table 26, crime rates for both violent crime (homicide, rape, robbery and aggravated assault) were considerably higher in the Project Area, as were crime rates for property crime (burglary, larceny (theft) and motor vehicle theft). Overall, from 1998 through 2006, the rate of homicides was more than 3.5 times higher, the rate of

rapes was more than 5.3 times higher, the rate of robberies was 3.4 times higher, and the rate of aggravated assault was more than 2.7 times higher than the rate in the City as a whole. For property crimes, the rate of burglaries was 1.7 times higher, the rate of larcenies was 1.5 times higher, and the rate of motor vehicle theft was 1.6 times higher.

Table 26: Comparison of Crime Rates (1998 – 2006)

	Project Area	City
Homicide	2.98	0.83
Rape	18.64	3.46
Robbery	95.43	27.66
Aggravated Assault	122.37	44.79
Total Violent Crime	239.42	76.74
Burglary	159.93	93.95
Larceny	547.53	358.17
Motor Vehicle Theft	189.47	120.24
Total Property Crime	896.92	572.37

Crime rates per 1,000 persons. Population as of 2000 and based upon US Census data.
Source: Fresno Police Department, Claritas

These higher crime rates are a threat to the health and safety of persons in the Project Area.

E. INADEQUATE PUBLIC IMPROVEMENTS (definition of blight at plan adoption)

In 2007, a Downtown Transportation and Infrastructure Study (DTIS) was prepared for the City by Wilbur Smith Associates to examine previous land use and transportation plans and studies, assess the status of implementation of the various plans, and outline a strategy for implementing transportation improvements. The DTIS examined railroad access, traffic, public transit, parking, pedestrian access, bike access, the Fulton Mall, and way-finding issues. The DTIS limited its analysis to the core area bounded by the 180, 41 and 99 Freeways, and thus included all of the Project Area with the exception of the South Van Ness Industrial area.

The DTIS summarizes several key infrastructure and traffic issues that have had an impact or have the potential to impact the redevelopment of the Project Area. Agency participation in efforts to address these issues will be essential for alleviating the blighting influences of some of these conditions.

The potential railroad consolidation of BNSF and UPRR operations: The City is considering a Railroad Consolidation Plan that calls for moving BNSF freight trains and Amtrak passenger trains onto the UPRR corridor through the Project Area. This would free the BNSF right-of-way for non-railroad use. Though the Agency and the City do not have control over the decisions regarding rail consolidation, the decision to undertake consolidation would have a major impact on the Project Area, not only on the areas that include the UPRR right-of-way, i.e., the Chinatown Expanded, West Fresno I, West Fresno II and West Fresno III, and South Van Ness Industrial areas, but also on the adjacent CBD, Convention Center and Fulton areas that are within one block of the right-of-way. A passenger terminal and additional track would be needed along the UPRR right-of-way. The location of rail crossings (either above grade or below grade) and other key decisions will affect pedestrian crossings, street configuration and closures, and land uses in these areas. The types of development that would be allowed on the former BNSF right-of-way would need to be carefully considered and integrated into any land use and development planning for the downtown as a whole, thereby having a direct impact on the Mariposa and South Van Ness Industrial Areas.

The potential establishment of a California High Speed Rail (HSR): The HSR would establish passenger rail service on the UPRR right-of-way between Southern and Northern California. As with rail operation consolidation, the City and the Agency will not have control over the decision to construct the HSR. Nevertheless, if the Fresno station for the HSR is established in the downtown (which is the location recommended by the DTIS), it will have a major impact on the UPRR corridor and surroundings.

Street grid conflicts: The awkward street grid interfaces between the original diagonal street grid in the downtown core and the more recent north-south street orientation for areas adjacent to the core causes confusion. Along the seams where the different grid street networks interface (primarily along Divisadero Street), it is unclear which traffic lane to use. It is very easy for motorists to become disoriented and lost. The DTIS highlights the SR-41 interchange at Tulare Avenue and Divisadero Street in and adjacent to the Mariposa Area as particularly confusing.

The discontinuity of the street grid due to railroad barriers and development barriers: Train movements along both railroad corridors cause traffic delays. The pedestrian crossings cause traffic delays, pose accident risks, and increases train noise (horns). The development of the Regional Medical Center has truncated Divisadero Street and there is no signage to guide motorists from one side of Divisadero Street to the other. O Street is truncated by the Cesar Chavez Adult Education Center and Mono Street is truncated by the Convention Center. The Fulton Mall closes Fulton Street for vehicular traffic and Kern Street has been closed for a pedestrian path between O and M Streets. The IRS complex blocks the connection of Broadway with Fresno Street. Collectively these discontinuities in the street grid tend to confuse motorists and increase turning movements. Traffic turning movements adversely

impact system capacity, increase traffic delays, increase accident risks, and increase conflicts with pedestrians. A map illustrating the key railroad and development barriers from the DTIS is included as Figure 23.

Atypical one-way street spacing between P and M Street one-way couplets: Typically, one-way street couplets are located one block apart, which tends to minimize out-of-direction travel and simplifies the understanding of traffic patterns for motorists. However, the P and M Street couplet is three blocks apart, with O Street providing some local circulation between the two one-way pair streets. This makes it more difficult for motorists to understand the street traffic pattern.

A weak hierarchy of streets: It is difficult for a motorist to distinguish visually which streets are major traffic carriers and which are local access and circulation streets. The City's General Plan street classification system is geared towards suburban street categories.

Ineffective way-finding system: Due to the meshing of the different street grids, the discontinuities in the street grid and mixed-use of one-way streets, motorist confusion becomes a major design challenge. Better signage is needed to major downtown destinations, to freeway access points, and to better inform motorists at atypical intersections.

Intersection deficiencies: Many intersections in the Project Area are confusing to motorists because of their configuration. The following are intersections cited in the DTIS as deficient. A map of the "confusion spots" within the downtown from the DTIS is included as Figure 24.

- Connections to G and H Streets near the UPRR right-of-way: Because of the distances required to overpass or underpass the UPRR tracks, some streets are not directly connected to G and H Streets. Stanislaus and Tuolumne Streets cross over G and H Streets and require connecting traffic to have prior knowledge of this configuration and make a few extra turns to make the connection. Signage for these connections is not provided. The Fresno Street linkage to H Street is partial and not effectively signed.
- Broadway Diagonal: When the IRS complex at Broadway and Tuolumne Street was developed, the Broadway Diagonal was blocked off but not removed. The remnants of the Diagonal between Broadway and Vann Ness Avenue confuse motorists and are visually blighting. The intersection of Broadway Plaza with Fresno Street is also confusing.
- Divisadero Street Intersections: Divisadero Street intersections with H Street, North Fulton Street, Maddy Drive, Fresno Street and Tulare Street are all atypical designs, which confuse motorists. The junction of the Blackstone Avenue/Abby Street couplet with O and P Streets and with Stanislaus and Tuolumne Streets at Divisadero Street is very confusing.

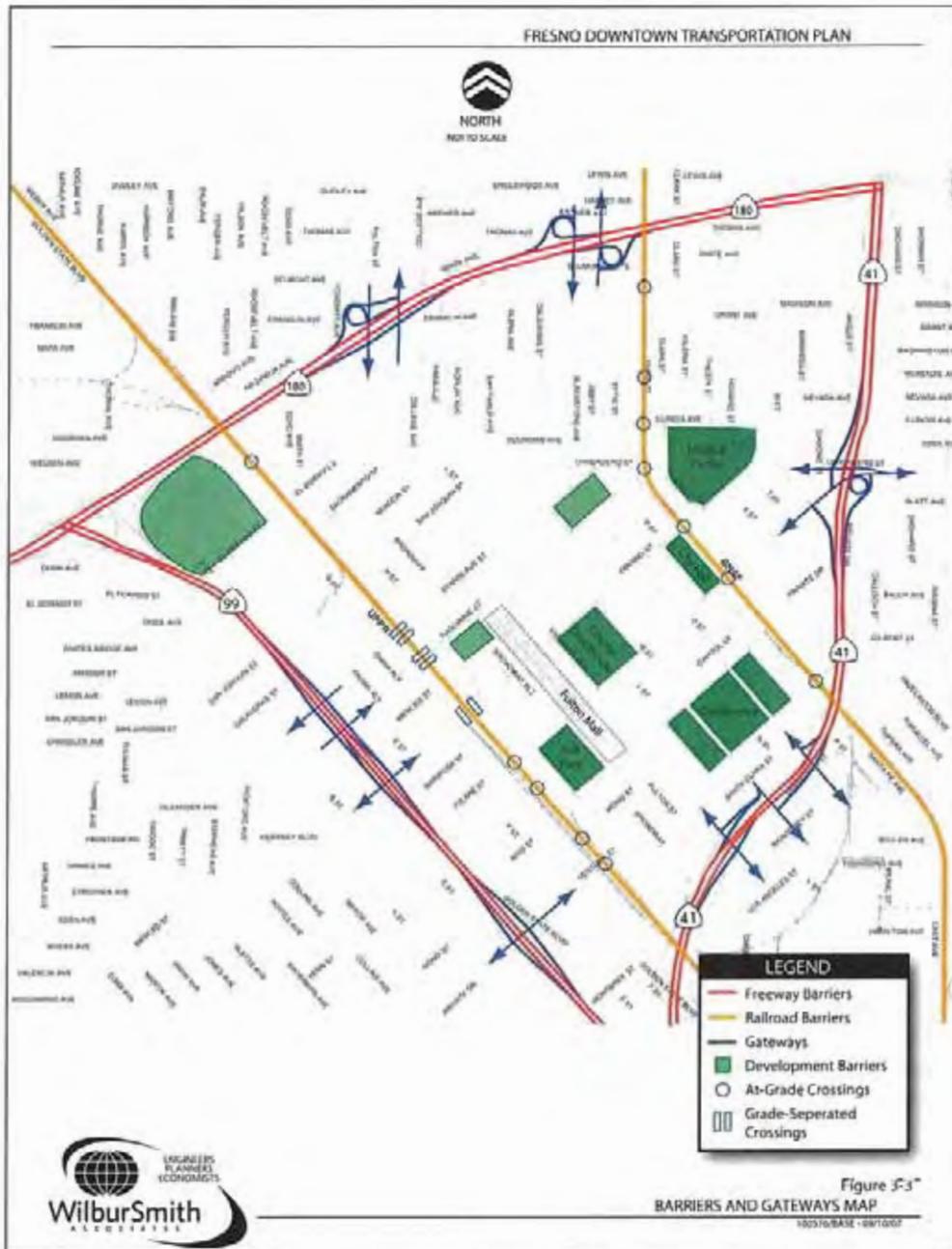


Figure 23: Railroad and Development Barriers
 Merger No. 1
 Fresno Redevelopment Agency



Figure 24: Deficient Intersections and Confusion Spots
 Merger No. 1
 Fresno Redevelopment Agency

Parking issues: There is no comprehensive parking plan for the downtown as recommended in the Central Area Community Plan. There are two parking exempt areas in the Project Area: the Central Business District Exempt Parking District and the West Fresno Business District Exempt Parking Area. However, the boundaries of these districts are not consistent with any other downtown district or land use boundaries. The analysis of parking in the DTIS indicated that there is a surplus of parking in the downtown. However, some of the available parking is on surface lots that may be developed in the future. Therefore, the City and the Agency will need to coordinate efforts to ensure that the Project Area has sufficient parking.

The DTIS recommended the development of a comprehensive parking management strategy for the downtown. One of the critical considerations for developing a comprehensive parking management strategy will be the location of parking and distance from desired destinations. The willingness of motorists to walk distances is affected by the pedestrian experience and their trip's purpose. The DTIS states:

"In an economically vibrant downtown, motorists are more willing to walk longer distances from their parking space to their destination. This is particularly true of long-term employee parking, but even special event parkers are willing to tolerate longer walking distances. Shoppers and diners tend to insist on short walks to/from parking... A three block walk is probably all that most motorists might accept, except for special events or for price discounted spaces for commuters."³⁶

For these and other reasons, creating a vibrant downtown with a high quality pedestrian experience will be critical to the effective redevelopment of the Project Area. The Agency will need to work cooperatively with the City in the improvement of pedestrian crossings, way-finding, and other measures to improve the pedestrian experience downtown and encourage more street activity.

The lack of adequate way-finding signage: The DTIS identifies the discontinuity of streets as one of several factors (several of which are discussed above) that frustrate all road users (motorists, bicyclists, transit riders and pedestrians). The DTIS states:

"Because the downtown functions as the government center of the City and County of Fresno, it attracts numerous visitors, especially during the weekday. Many are unfamiliar with the entry and exit routes, direction of one-way traffic flows, and locations of off-street parking facilities, transit services, bicycle routes and pedestrian pathways. The difficulty of traveling to/from and within downtown

³⁶ City of Fresno Downtown Transportation and Infrastructure Study (Wilbur Smith Associates, October 2007), p. 5-9.

is complicated by the different street grids, circulation discontinuities, and the irregular freeway ramps systems."

The DTIS includes a series of recommendations to improve signage in the downtown, including use of urban design and signage to define a user-oriented hierarchy of downtown streets, and using signage to clarify efficient vehicle movements through the street grids and freeway access, adding street names to overhead land designation signs to complement movement arrows, and using color coded signs to sort motorists, pedestrians and bicyclists to their desired destinations.

F. SUMMARY OF BLIGHTING CONDITIONS

As described in this Report, there are a number of blighting conditions, both physical and economic, that contribute to significant remaining blight in the Project Area.

1. Buildings in which it is unsafe and unhealthy for persons to live or work, as evidenced by deteriorated and dilapidated buildings, unreinforced masonry buildings, and a disproportionate share of serious building code violation complaints.
2. Conditions that present or substantially hinder the viable use or capacity of buildings or lots, as evidenced by substandard buildings and obsolete buildings.
3. Depreciated or stagnant property values, as evidenced by depreciated and stagnant assessed property values, and low median property sales prices for retail, office, and industrial properties and for single-family homes.
4. Abnormally low lease rates for office and industrial space, and an abnormally high number of vacant buildings and vacant lots.
5. A serious lack of necessary commercial facilities are normally found in neighborhoods, as evidenced by the serious lack of supermarkets serving the Project Area and vicinity.
6. Serious residential overcrowding that has resulted in significant public health or safety problems, as evidenced by a relatively high percentage of over crowded units and high residential densities.
7. An excess of liquor stores, as evidenced by the much higher rate of alcohol licenses per capita.

8. A high crime rate that constitutes a serious threat to the public safety and welfare, as evidenced by higher crime rate per capita.
9. Inadequate public improvements

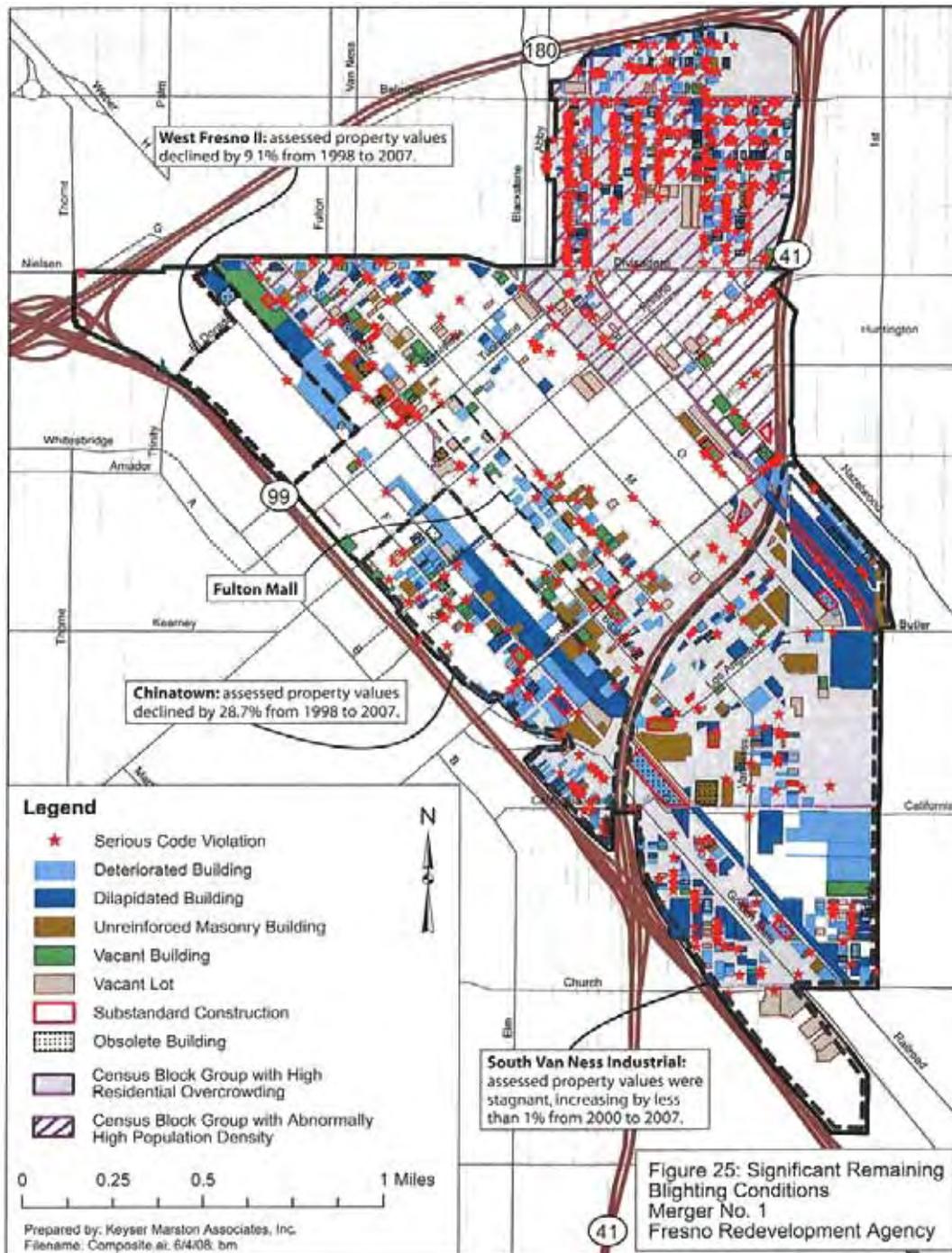
These remaining blighting conditions are substantial and some are prevalent throughout various portions of the Project Area. The significant remaining blighting conditions are summarized on Table 27 and illustrated in Figure 25.

Table 27: Summary of Significant Remaining Blighting Conditions

Blight Definition	Blighting Conditions
<p>Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.</p>	<p>Thirty-four percent (34%) of the buildings are either deteriorated or dilapidated. There are 131 unreinforced masonry buildings within the Project Area, 59% of which are deteriorated and dilapidated. Combined, these conditions affect 36% of the properties in the Project Area.</p> <p>The Project Area has a disproportionate share of serious code complaints. A total of 2,059 serious code complaints, or 388 per year, were made between 2003 and 2007.</p>
<p>Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards.</p>	<p>There are 119 substandard buildings and 53 obsolete buildings in the Project Area, affecting 144 or 5% of the total properties in the Project Area.</p>
<p>Depreciated or stagnant property values.</p>	<p>Over the nine-year period from 1997-98 and 2006-07, the Chinatown Expanded, West Fresno II and South Van Ness industrial areas all experienced stagnant or declining assessed property values. These three areas represent 47% of the total acreage and 34% of the total parcels of the Project Area.</p> <p>Between 2002 and 2007, the annual median sales prices for retail properties in the Project Area were below the medians for the balance of the City. In 4 of the 6 years analyzed, the median sales prices for retail property sales were also below replacement costs, indicating functional obsolescence.</p> <p>During the same period, the annual median sales prices for office properties were well below the medians for the balance of the City. In 4 of the 6 years analyzed, the median sales prices for office property sales were below replacement costs, indicating functional obsolescence.</p> <p>The annual median sales prices for industrial properties were below the median sales prices for the balance of the City in 4 of the 6 years analyzed.</p> <p>Annual median sales prices for single-family homes were below median sales prices for the balance of the City, both on a sales price and on a sales price-per-square-foot basis.</p>

Table 27: Summary of Significant Remaining Blighting Conditions (continued)

Blight Definition	Blighting Conditions
Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.	<p>The average asking lease rate for Class B office space (representing 52% of available space listed) in the Project Area is 19% below the average for the balance of the City.</p> <p>The average asking lease rate for industrial property in the Project Area is \$0.29 per square foot (PSF), at least 26% below the normal range for the balance of the City, which is \$0.40 to \$0.60 PSF.</p> <p>A total of 108 vacant buildings were identified during the field survey, affecting 4% of properties in the Project Area.</p>
Excessive vacant lots in an area developed for urban use and served by utilities	There were 501 vacant lots identified in the Project Area during the field survey, representing 18% of the parcels in the Project Area. Thirty-six percent (36%) or 6% of the vacant lots, have been vacant for 15 years or more.
A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.	While the Project Area has only 2 supermarkets, based upon the estimated aggregate household income, the Project Area could currently support 5 supermarkets, a deficit of 3 supermarkets. There is 1 supermarket for every 36,600 persons within a 2-mile radius of the center of the Project Area vs. 1 for every 18,200 persons in the City overall.
Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.	In the Project Area, 37% of housing units are overcrowded, vs. only 17% for the City as a whole. Of the 16 census block groups that overlay the Project Area, in 9 of the 16, more than 17% of the housing units are overcrowded (the Citywide average). In 4 of the 16, more than 50% of the housing units are overcrowded.
An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.	While the City has an overall rate of 2.26 alcoholic beverage licenses per 1,000, in the Project Area that rate is more than double, at 4.97 per 1,000 persons.
A high crime rate that constitutes a serious threat to the public safety and welfare.	From 1998 through 2006, the Project Area has a violent crime rate that was more than 3.5 times higher than the City as a whole and a property crime rate that was 1.6 times higher. The violent crime rate in particular represents a serious threat to the public safety and welfare.



V. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED AND PARCELS NECESSARY AND ESSENTIAL FOR THE ELIMINATION OF REMAINING BLIGHT AND SUMMARY OF BLIGHTING CONDITIONS

A. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED

As described in Section II of this Report, there have been a number of development and redevelopment projects that have occurred in the Project Area since 1998, many of which have received Agency assistance. Many of these properties are considered "no longer blighted" by the Agency as they have been redeveloped in a manner consistent with the Redevelopment Plans. The properties are listed on Table 28 and illustrated on Figure 21.

Table 28: Properties That Are No Longer Blighted

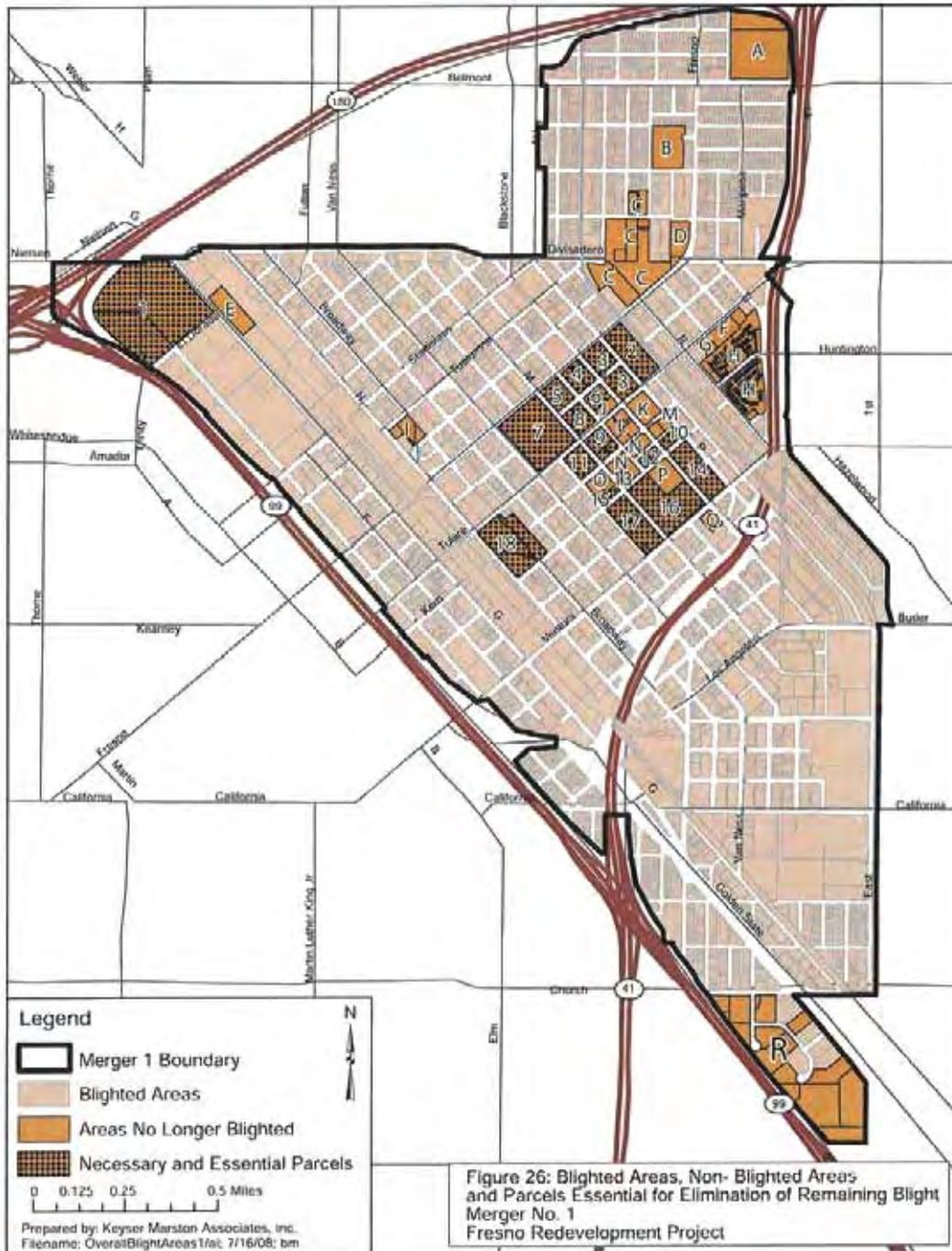
Letter Key	Name	Address/Location
A	Tehipite Middle School	630 N Augusta
B	Akira Yokomi Elementary Magnet School	2323 E McKenzie
C	Regional Medical Center	2041 Divisadero
D	UCSF Medical Education Facility	155 N Fresno
E	Aardex Building	1950 G St
F	BRE/LQ Properties	2926 Tulare
G	H Anthony & Violet Jew	2840 Tulare
H	Condo Neighborhood	Huntington and Divisadero
I	IRS Building	2650 Tulare
J	City of Fresno Parking Lot	1000 N Street
K	Federal Building	2500 Tulare St
L	West America Bank Building and Parking Structure	2440 Tulare St
M	Federal Building Parking Lot	835 P Street
N	Civic Center Square	906 N St
O	Tower At Convention Center	819 M St
P	Parking Structure	Inyo St and O St
Q	5th District Court of Appeals	2424 Ventura
R	Foundry Park and Vicinity	

B. PARCELS THAT ARE NECESSARY AND ESSENTIAL FOR THE ELIMINATION OF REMAINING BLIGHT

While there are a number of properties that have received some level of rehabilitation, they may not be completely redeveloped. In addition, there are a number of vacant lots and underutilized properties that are candidates for redevelopment. These parcels are listed on Table 29 and shown on Figure 26. These parcels are either: 1) adjacent to one or more blighted parcels that are to be assembled in order to create a parcel of adequate size given present standards and market conditions; or 2) parcels that are adjacent or near parcels that are blighted on which it is necessary to construct a public improvement to eliminate blight.

Table 29: Parcels That Are Necessary and Essential for the Elimination of Blight

Number	Name	Address
1	Fresno Municipal Service Center	2101 G St
2	Fresno City Hall	2600 Fresno St
3	Eaton Plaza	2550 Mariposa St
4	Historic Water Tower & Parking	O St and Fresno St
5	Fresno Police Dept. Admin. Building	M St and Fresno St
6	Fresno Public Library	2451 Tulare St
7	Federal Courthouse	Van Ness Ave and Fresno St
8	Fresno Unified School District	M St and Tulare St
9	Maubridge Building	2344 Tulare St
10	Civic Center Square Parking Lot	Inyo St and O St
11	County of Fresno	2233 Kern St
12	Civic Center Square	906 N St
13	City-owned parcel	802 M St
14	PG&E Building	Ventura and O St
15	ML Street Properties Parking Lot	815 M St
16	Convention Center	700 M St
17	Radisson Hotel	2233 Ventura St
18	Grizzlies Stadium	1800 Tulare St



VI. THE AGENCY'S PROJECTS AND PROGRAMS, HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT, AND WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT THE AMENDMENTS

A. AGENCY PROJECTS AND PROGRAMS

The Agency has and will continue to play a key role in the alleviation of blighting conditions in the Project Area. The Agency's role is to encourage new development, aid existing businesses, work with other governmental agencies to alleviate blight, upgrade the physical environment, and remove major impediments to development and blight alleviation that the private sector has not been able to remove on its own. The following program of activities has been and will continue to be implemented on a Project Area-wide basis. Specific projects within these programs will be determined based upon priorities established through Agency planning and budgeting and as funds become available.

1. Public Improvements

The Agency's public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects. Such programs and projects include:

- Street improvements, including repair, construction and re-construction of curbs, gutters, sidewalks, street paving, landscaping and irrigation systems, traffic improvements (such as turning lanes, street widening, and street medians), street and alley abandonment, and construction of street extensions.
- Railroad route and crossing safety improvements.
- Sewer, water, and storm drain system improvements.
- Traffic signal and safety lighting improvements associated with Redevelopment Plan implementation.
- Utility undergrounding, installation and relocation.
- Parking lots and parking structure improvements to support implementation of the Redevelopment Plan and alleviate parking deficiencies in the Project Area.
- Open space, recreation and park improvements.

- Coordination, planning and assistance on public building improvements related to the construction, planning and design, and upgrading of new or existing improvements. Such activities would generally include site work, building construction, parking improvements and landscaping.
- Historic preservation activities in accordance with the historic preservation goals and objectives described in the Central Area Community Plan. These include establishing historic districts, and providing incentives for the restoration and rehabilitation of historic structures.

2. Land Assembly

The intent of the land assembly program is to create sites large enough for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use/residential projects where appropriate. The Agency may acquire properties, including vacant and improved properties, by negotiated purchase, eminent domain (where allowed), or by other methods allowed and as appropriate for land assembly. Land acquisition is not anticipated in circumstances where the property owners are able to participate in the redevelopment process. The Agency will provide relocation assistance in accordance with the law for displaced businesses. The land assembly program may also include site clearance and preparation. Underutilized streets and alleys may also be vacated to assemble sites for redevelopment.

3. Business Revitalization and Attraction

The Agency will provide incentives to encourage businesses to remain in the Project Area, to expand from current facilities, or to encourage new business establishments to locate within the Project Area. Incentives could include development fee reductions, installation of support services, marketing, and financial assistance to for start-up businesses. The program also includes the Agency's façade improvement and commercial rehabilitation loan program, which encourages property owners, and businesses to renovate existing buildings, rehabilitate exterior building facades, correct building and safety deficiencies and code violations, or construct interior tenant improvements.

4. Discretionary Programs

When funding is available, the Agency will assist other efforts that will contribute to the alleviation of blighting conditions in the Project Area such as owner participation, business expansion assistance, revitalization, business attraction, and marketing to the extent permitted by law.

5. Housing Programs

The Agency has two primary housing programs to serve the goals and policies of the Redevelopment Plan. These programs are: 1) the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno, which focuses on minor and major rehabilitation of owner occupied housing, the construction of new infill ownership housing, and the acquisition and major rehabilitation of boarded up and distressed single-family homes; and 2) the assemblage of real property assets for the development of housing, and the provision of gap financing for the new construction of housing and the rehabilitation of existing multiple-family housing.

B. HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

1. Public Improvements

The primary focus of the Agency's efforts to support the rehabilitation of existing and installation of new public improvements will be to help offset the cost or to install such improvements where the costs exceed cost levels that would normally be borne by the private sector. The construction of such public improvements will support investments in the private sector in the reuse of vacant, deteriorated, obsolete and unsafe buildings, the effective utilization of vacant lots, and the rehabilitation of existing and construction of new housing to alleviate overcrowding in the Project Area. Such investments, in turn, will support and increase property values and create jobs, which will in turn, reduce crime and encourage the development of supermarkets and other essential commercial services for the community.

2. Land Assembly

The land assembly program will enable the Agency to acquire and consolidate parcels, especially vacant and underutilized buildings and lots for development. Rehabilitation of existing buildings and the development of new commercial and residential uses will help reduce the number of unsafe and unhealthy buildings, the number of obsolete and

substandard buildings, and the number of vacant lots. Such rehabilitation and new development will increase property values, support higher lease rates, and reduce the number of vacant and abandoned buildings in the Project Area. It will also provide locations for new commercial businesses to provide goods and services to the community and create opportunities for the rehabilitation of existing and development of new housing at all income levels, including housing affordable to persons and families of low and moderate incomes.

3. Business Revitalization and Attraction

Supporting the expansion of existing businesses and the attraction of new businesses will encourage the revitalization of existing buildings, and development of new facilities to create jobs, increase property values, and remove or rehabilitate unsafe buildings (such as unreinforced masonry, obsolete and abandoned buildings) and develop new buildings on vacant lots. Such development will increase property values and lease rates, and encourage the development of necessary commercial facilities to serve residents and businesses.

4. Discretionary Programs

From time to time, as opportunities arise for the Agency to participate in discretionary programs that will support the goals of the Redevelopment Plan, the Agency will be able to target programs and funds for alleviating blight through supporting existing businesses and recruiting new businesses in the Project Area. Discretionary programs will also allow the Agency to assist in the development of new facilities and the revitalization of existing properties. These efforts will support the creation of jobs and diversification of the local economy to reduce crime and support the installation of public improvements and the reuse of existing buildings properties.

5. Housing Programs

The housing programs allow the Agency, in collaboration with the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno to provide funds for the acquisition of blighted properties in addition to the rehabilitation and preservation of existing housing units, and the production of new low- and moderate-income housing. The Agency works cooperatively with property owners and developers to provide opportunities to remove blight and increase the number of affordable housing units in the Project Area.

Table 30: Blighting Conditions and the Projects and Programs to Alleviate Blight

Blighting Condition	Agency Programs				
	Public Improvements	Land Assembly	Business Revitalization and Attraction	Discretionary Programs	Housing Programs
Buildings in which it is unsafe or unhealthy for persons to live or work.		X	X	X	X
Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. Construction given the present general plan, zoning, or other development standards.	X	X	X	X	X
Depreciated or stagnant property values.	X	X	X	X	X
Abnormally low lease rates and an abnormally high number of abandoned buildings.	X	X	X	X	
A serious lack of necessary commercial facilities that are normally found in neighborhoods.	X	X	X	X	
Serious residential overcrowding that has resulted in significant public health and safety concerns.		X		X	X
An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.			X	X	
A high crime rate that constitutes a serious threat to the public safety and welfare.	X		X	X	

C. WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT EXTENDING THE TIME LIMITS ON THE EFFECTIVENESS OF THE PLAN AND RECEIPT OF TAX INCREMENT REVENUES

As described in Section IV of this Report, significant blight remains in the Project Area. There are a significant number of deteriorated and dilapidated buildings, vacant lots and vacant buildings. Many of the lots have been vacant for at least 15 years. The City and the Agency,

and the private sector acting with and without Agency assistance, have been able to redevelop many blighted properties in the Project Area. However, as described in Section III, the Agency has played a role in many of the projects. Of the building permits issued over the past 12+ years, the Agency has been involved in 72 percent of the permitted activity (based upon total permit value). The Agency assembled and cleared sites, and/or provided financial incentives for many of the signature projects, including the development of Chukchansi Park, the Regional Medical Center expansion, the Convention Center Exhibit Hall, the new Federal Courthouse, the new Fifth District Court of Appeals, the IRS Compliance Center, the Cesar Chavez Adult Education Complex, and the Guarantee Building rehabilitation and new garage construction. Without Agency assistance, many of these and other projects would not have been feasible. Assembling and clearing sites for development is time consuming and costly for the private sector, and there is even less incentive for the private sector to take on such endeavors in areas that are perceived to be blighted. The Agency, through the use of redevelopment tools, is able to shoulder the time and cost burden of site assemblage, and provide other assistance such as infrastructure development and financial assistance to encourage property owners to reinvest and attract new development. Without such Agency assistance, it is unlikely that the City or the private sector acting alone will be able to complete the redevelopment of the Project Area.

The Agency anticipates that tax increment revenues will decline significantly when the current time limits for key areas are reached. The time limits for the Central Business District, the Chinatown Original, Mariposa, West Fresno I and West Fresno II areas will be reached in 2012. These areas currently account for roughly 56 percent of the tax increment revenues to the Agency³⁷ for projects and programs, meaning that after 2012, the Agency's tax increment will be less than half of its current tax increment. At the same time, there are a significant number of deteriorated and dilapidated and unsafe properties, numerous vacant lots, and vacant buildings in need of redevelopment. Without extending the time limits on the Constituent Plans and increasing tax increment limits, the time limits to receive tax increment and repay indebtedness, and the time limits to utilize eminent domain, the Agency will not be able to alleviate blighting conditions in the Project Area.

³⁷ Gross tax increment revenues based upon fiscal year 2007-08 revenue.

VIII. PRELIMINARY ASSESSMENT OF THE PROPOSED METHOD OF FINANCING THE REDEVELOPMENT PLAN AS AMENDED, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

Section 33344.5(d) of the CRL provides that the Preliminary Report for the adoption of the Amendments contain a preliminary assessment of the proposed method of financing the Project Area, including an assessment of economic feasibility of the Amendments and the reasons for including a provision for the division of taxes pursuant to Section 33670.

This analysis is intended to provide an assessment of the economic feasibility of the Project Area, as amended, and reasons for including tax increment financing and other financing sources in the amended redevelopment plans. Economic feasibility, for purposes of this analysis, is defined to be a comparative analysis of anticipated costs for implementation of the amended redevelopment plans to the resulting revenues projected for the Project Area.

This section contains a general discussion of the costs associated with the proposed redevelopment program of activities and an evaluation of the general financing methods that may be available to the Agency. Economic feasibility is determined through a summarized feasibility cash flow analysis for the Project Area as shown on Table 36 at the end of this section.

A. TIME LIMITATIONS

Pursuant to Section 33333.10 of the California Health and Safety Code, the effectiveness dates of qualifying redevelopment plans³⁸ may be extended for up to 10 additional years and the date for the collection of tax increment to repay indebtedness may be extended for up to an additional 10 years. The following redevelopment plans³⁹ would be amended to extend the plan effectiveness date and the tax increment receipt dates by an additional 10 years, as authorized under SB 211.⁴⁰

³⁸ The Fulton and South Van Ness Redevelopment Plans do not qualify for the additional 10-year extensions under H&S Code Section 33333.10.

³⁹ The Chinatown Project Area ("Chinatown Original") was adopted in 1965. In 1986, it was enlarged by the addition of territory and is now generally referred to as "Chinatown Expanded." However, since the original territory and the added territory have different time and financial limits, they are treated separately for purposes of this analysis.

⁴⁰ The assumed extended time limitations include time extensions allowed by SB 1045 and SB 1096 for the redevelopment project areas that qualify for such extensions because of required payments into the State Educational Revenue Augmentation Fund (ERAF).

Table 31: Summary of New Plan Effectiveness and Tax Increment Receipt Limits

	New Plan Effectiveness	New T.I. Receipt Limit
Central Business District	01-01-2022	01-01-2032
Chinatown Original	01-01-2022	01-01-2032
Chinatown Expanded	01/28/2038	01/28/2048
Convention Center	01-12-2035	01-12-2045
Jefferson	12-18-2037	12-18-2047
Mariposa	01-14-2022	01-14-2032
West Fresno I	01-01-2022	01-01-2032
West Fresno II	01-01-2022	01-01-2032
West Fresno III	01-14-2019	01-14-2029

B. ESTIMATED TOTAL PROJECT COSTS

A determination of economic feasibility requires an identification of the potential costs associated with redevelopment of the Project Area. Redevelopment could require significant participation from the Agency in activities to promote and achieve the goals and objectives of the respective redevelopment plans and to address blighting conditions. Based upon the program descriptions in Section VI of this Report, for purposes of this economic feasibility analysis the assumed activities and programs of the Project Area, as amended, are as follows:

1. Public improvements
2. Land assembly
3. Business revitalization and attraction
4. Affordable housing

The Agency also anticipates other costs associated with meeting the financial obligations for implementing an effective redevelopment program. These include continued funding for Agency staff and services, operating expenses, and repayment of potential future indebtedness of the Project Area.

The redevelopment program described in this Report outlines a set of activities that have already been implemented by the Agency for the purpose of facilitating private reinvestment in the Project Area, eliminating physical and economic blighting influences; and increasing, improving and preserving the community's supply of low and moderate income housing. Upon termination of the effectiveness dates of the respective redevelopment plans, the Agency will continue to receive tax increment to repay Project Area indebtedness until the respective tax receipt dates terminate. The estimated cost of the assumed redevelopment programs over the term of the projection is as follows:

Table 32: Estimated Redevelopment Program Costs

Affordable Housing	\$138,132,000
Debt Service (existing)	18,804,000
Administration	22,323,000
Redevelopment Projects & Programs:	
Public Improvements	\$85,339,000
Land Assembly	66,375,000
Business Revitalization & Attraction	<u>37,928,000</u>
Subtotal Projects & Programs	\$189,642,000
Total Project Costs	<u>\$368,937,000</u>

As tax increment revenue sources become available to the Project Area in future fiscal years, the feasibility cash flow assumes that the Agency will exercise its discretion in the annual budgetary allocation of the available resources (net of housing set aside requirements, existing senior lien bond debt service obligations and Agency administration) to fund projects and programs that will eliminate blighting conditions in the Project Area. The discretionary projects and programs assumed in this scenario include public improvements, land assembly, and business revitalization and attraction activities. Affordable housing programs will be funded from housing set aside funds as described below.

The feasibility cash flow scenario assumed on Table 36 does not restrict the Agency to only the projects and programs shown nor, by including the same, do these cash flow projections obligate the Agency to a specific funding priority or time sequence as shown. The inclusion of such projects and programs is intended to recognize that the Agency, at its discretion, will allocate future Project Area resources as they are prioritized and determined by the Agency Board each year. To the extent the Agency elects to not fully apportion the annual net resources in a given year, the resulting funds would carry over to become available resources in the subsequent year.

1. Affordable Housing

The Agency is annually required to deposit 20 percent of gross tax increment revenues generated by the Project Area into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. Under CRL Section 33333.10(g), for the redevelopment plans being amended under this plan amendment, the Agency will be required to set aside 30 percent of gross tax increment revenues commencing with the first fiscal year that commences after the date of adoption. Specific

housing-related projects, programs and activities are not delineated in this feasibility cash flow, but it is assumed that as housing set aside funds become available they are used by the Agency to fund such expenditures.

2. Debt Service on Bonds and Loans

The Agency will consider all funding alternatives allowable under the CRL to finance the anticipated redevelopment projects and programs. One typical financing option is the issuance of tax allocation bonds. The Agency may utilize tax increment revenues generated in the Project Area to secure the debt service of tax allocation bonds to assist in the financing of anticipated project costs.

The feasibility cash flow only reflects existing debt service payments on current bonds and loans outstanding. These include tax allocation bonds secured by tax increment from the Mariposa Project Area, City General Fund loans repaid from tax increment in the Central Business District and Fulton Project Areas, Stadium Bond debt service contributions from the Central Business District Project Area, and a Certificate of Participation debt service contribution from the Convention Center Project Area. For purposes of this feasibility cash flow, no additional bond financing is assumed and all future projects and programs of the Project Area will be funded on an annual pay-as-you-go basis, relying upon net tax increment revenues annually available to the Project Area.

3. Administration

The projected operating costs for administration of the redevelopment program are assumed to be equivalent to 4.4 percent of gross tax increment revenue each year. The assumed factor is based upon the FY 2007-08 administrative budget request relative to budgeted gross tax increment.

4. Public Improvements

The public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects anticipated upon amendment of the Project Area. The public improvement program also includes the provision of additional parking facilities, the development of open space, recreation and park improvements, and various historic preservation activities. This scenario of economic feasibility assumes that 45 percent of annual net tax increment revenues will

be budgeted towards the funding of public improvements. The proposed public improvement activities are more fully described in Section VI of this Report.

5. Land Assembly

The purpose of this program is to assemble small underutilized and/or poorly configured parcels of property into sites suitable for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use residential projects. The costs typically would include land assembly, relocation assistance, site clearance, and/or site preparation. This scenario of economic feasibility assumes that 35 percent of annual net tax increment revenues will be budgeted towards the funding of land assembly costs. The proposed land assembly activities are more fully described in Section VI of this Report.

6. Business Revitalization and Attraction

The purpose of this program is to allow the Agency to provide incentives to encourage existing businesses to remain in the Project Area, to expand from current facilities, and encourage new businesses to locate in the Project Area. The program would also include funding for façade improvements and commercial rehabilitation loans. This scenario of economic feasibility assumes that 20 percent of annual net tax increment revenues will be budgeted towards the funding of business revitalization and attraction costs. The proposed business revitalization and attraction program activities are more fully described in Section VI of this Report.

C. FINANCING METHODS AVAILABLE TO THE AGENCY

The Plan is prepared with the intent of providing the Agency with the necessary legal authority and flexibility to continue to implement the revitalization of the Project Area. The Plan authorizes the Agency to finance the Project Area with financial assistance from any or all of the following sources: (1) City; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the existing CRL; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Assumed revenue sources to fund project costs, as discussed and assumed in this feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) existing

miscellaneous revenues; and (3) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized as follows:

Table 33: Financing Resources Available for Redevelopment in the Project Area

Net Tax Increment	\$210,965,000
Housing Set Aside	138,132,000
Other Revenue Sources	19,290,000
Interest Earnings	552,000
Total Aggregate Resources	\$368,939,000

Current provisions of the CRL provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a Redevelopment Plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs. Although other funding sources such as these may be available to the Agency, the feasibility cash flow on Table 36 only reflects the following funding sources:

1. Tax Increment Revenues

A summary of the projection of the incremental taxable values and resulting tax increment revenues for the Project Area is shown on Table 37. The gross total tax increment revenues for the Project Area over the term during which the Agency could receive tax increment from the respective project areas is projected to amount to \$508,336,000, of which \$137,109,000 would be required for deposit into the Housing Fund; \$10,167,000 would be charged by the County to recover administrative overhead (per SB 2557); and \$150,560,000 would be allocated to affected taxing entities under existing tax sharing agreements, elective allocations authorized under H&S Code Section 33676 or statutory pass through payments triggered under Sections 33607.5 and 33607.7. The net non-housing tax increment revenues available to the Agency over the term of the projection total \$210,500,000.

Without the Redevelopment Plan Amendment, the tax increment revenues of the Project Area would significantly decline once the respective Redevelopment Plan time limitations are reached. The most significant of these declining revenues would be realized after FY 2018-19, when tax increment revenues would no longer be allocated from the Central Business District, Chinatown Expanded, Mariposa, West Fresno I, West Fresno II, and West Fresno III Project Areas. The cumulative tax increment revenue cap imposed on some of the Constituent Project Areas would also affect the Agency's ability

to receive the full benefit of tax increment revenue over the remaining term of the projection. Once the cumulative tax increment limits would have been reached, the Agency would forfeit excess tax increment revenues.

The following assumptions were incorporated in the Project Area tax increment revenue projections shown on Table 35 to Table 48:

- a) Current FY 2007-08 assessed values, as reported by the Fresno County Auditor-Controller, provide the basis from which future year tax increment is determined.
- b) Future real property (land and improvement) values annually increase as a result of an annual 4% inflation factor (reflecting assumed Proposition 13 growth and an increase for miscellaneous transfer of ownership or new construction activities). Specific new developments were not identified for inclusion in the projections.
- c) A tax rate of 1.0824% has been used for the computation of gross tax increment revenue, based upon tax override information provided by the County Auditor-Controller. In addition, a County administrative charge allowed under SB 2557 (equal to 2% of gross tax increment) has been debited each year.
- d) An existing tax sharing agreement with the County Library District is in effect for certain Constituent Project Areas, as reflected in the attached projections. The redevelopment project areas in which the allocation is made includes the following: Central Business District, Chinatown Original, Chinatown Expanded, Jefferson, Mariposa, and West Fresno I.
- e) Based upon information provided by the County Auditor-Controller, the County debits a portion of tax increment revenues from the Chinatown Expanded and the Jefferson Redevelopment areas to affected taxing entities electing to receive a share of revenue under prior authorization set forth by CRL Section 33676 (the so-called "two percent inflation allocation", which was subsequently removed from the Redevelopment Law with the passage of AB 1290). Therefore, for purposes of this projection, KMA has embedded the County's 2 percent inflation allocation formula in the revenue projections for these two Constituent Project Areas.
- f) Statutory pass through allocations pursuant to CRL Section 33607.5 are shown as a result of the Agency's prior amendment to extend the debt incurrence time limits for selected Project Areas. The constituent Project Areas for which the triggered statutory pass through allocation has been calculated, includes the

following: Central Business District, Chinatown Original, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I, West Fresno II and West Fresno III. The Fulton and South Van Ness Industrial areas were adopted after January 1, 1994, and are also subject to the statutory pass through provisions.

- g) For FY 2008-09, the housing set aside of 20 percent of annual tax increment is reflected pursuant to the provisions of H&S Code Section 33334.2. Commencing in FY 2009-10 and upon approval of the Amendments, the Agency would be required to set aside 30 percent of annual tax increment for the Constituent Project Areas being amended.

2. Housing Set Aside

As stated previously, the Agency is annually required to deposit a portion of the gross tax increment revenues into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. The housing set aside is available at the Agency's discretion for allocation to various housing-related projects, programs and activities not incorporated in the Table 36 feasibility cash flow projection.

3. Other Revenue

The Agency has budgeted receipt of other revenues to help fund ongoing redevelopment programs. The other identified revenues include lease income, rental income and City ground lease payments.

4. Interest Income

The Agency may receive interest earnings generated from funds on deposit in the bond reserve funds, project operating funds and other special funds established for the Project Area. Interest earnings are based upon an assumed 3 percent rate.

D. PROPOSED FINANCING METHOD, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

The anticipated costs to implement a program of revitalization in the Project Area will require significant participation from the Agency as it implements activities that promote and achieve the stated goals and objectives of the redevelopment plan. Economic feasibility of the redevelopment plans has been determined based upon a comparative cash flow analysis of the anticipated costs

for implementation of the proposed redevelopment program to the resulting projected resources projected over the term of the Project Area feasibility cash flow.

The economic feasibility summarized on Table 36 was created to represent one scenario of economic feasibility. At the discretion of the Agency, other funding sources discussed above may also represent viable funding alternatives for economic feasibility of the amended Redevelopment Plans. Although the Agency may consider other funding sources permitted in the Redevelopment Plans, not all of the funding sources may be available or be feasible for the Agency to use in financing the anticipated costs and revenue shortfalls. In the event that neither the City nor the private market acting alone could fully bear the costs associated with revitalization of the Project Area, the implementation of a redevelopment program utilizing tax increment revenues must be considered as a viable financing tool.

The cash flow projection reflects assumptions based on KMA's understanding of the assessment and tax apportionment procedures employed by the County. The County procedures are subject to change as a reflection of policy revisions or administrative, regulatory or legislative mandate. While we believe our estimates to be reasonable, taxable values resulting from actual appraisals may vary from the amounts assumed in the projections. Assumptions have also been made that legislatively-mandated payments to the State will not be required in future fiscal years. These assumptions are based on existing State policies and are subject to future regulatory or legislative changes.

No assurances are provided by KMA as to the certainty of the projected tax increment revenues shown in this Section. Actual revenues may be higher or lower than what has been projected and are subject to valuation changes resulting from new developments or transfers of ownership not specifically identified herein, actual resolution of outstanding appeals, future filing of appeals, changes in assessor valuation standards, or the non-payment of taxes due. The accuracy or completeness of assessment appeals identified in the attached table are based solely upon information provided by the County Assessor's office as of the date of the original review of said data by KMA. A reasonable attempt has been made to forecast the redevelopment projects, programs and activities that could be undertaken in the Project Area. However, actual funding will be based upon actual revenues available to the Agency in future fiscal years. Therefore, the expenditure program reflected on Table 36 is presented as an "order of magnitude" estimate based upon the forecasted tax increment revenues.

E. TAX INCREMENT REVENUE LIMITS

Over the past ten years, reported assessed values in the Project Area have increased an average of 9 percent. Assuming that values increase annually by this 9 percent growth factor and also assuming the Agency amends the qualifying Constituent Project Areas to add ten additional years to the existing time limits, KMA prepared a series of growth iterations to

determine an appropriate factor to multiply against the current revenue limits for each Constituent Project Area so as to ensure that a new revenue limit was sufficiently large enough to permit the Agency to receive projected tax increment revenues to the full term allowed under law. The iterations prepared by KMA resulted in the following new revenue caps:

Table 34: Existing and Proposed Tax Increment Limits

	Old T.I. Limit	Allocated as of June 30, 2007	Proposed New T.I. Limit
Central Business District	\$16,000,000	\$7,660,873	\$128,000,000
Chinatown Original	32,000,000	3,842,959	128,000,000
Convention Center	51,000,000	9,330,375	357,000,000
Jefferson	235,000,000	5,027,336	470,000,000
Mariposa	50,000,000	18,815,532	150,000,000
West Fresno I	9,000,000	4,010,362	27,000,000
West Fresno II	60,000,000	22,870,728	120,000,000

F. BONDED INDEBTEDNESS LIMITS

The bonded indebtedness limits are not being amended. Therefore, the total bonds supported in whole or in part by tax increment revenues and which may be outstanding at one time may not exceed the following existing limits for these Constituent Project Areas:

Table 35: Existing Bond Debt Limits

Chinatown Expanded	\$16,000,000
Convention Center	21,000,000
Fulton	32,000,000
Jefferson	99,000,000
South Van Ness Industrial	111,000,000

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Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
I. Revenue:														
Gross Tax Increment Revenue	6,758	7,153	7,563	7,988	8,421	8,860	9,307	9,863	10,378	10,913	11,469	12,046	12,647	13,270
Less Housing Set Aside	(1,352)	(2,049)	(2,151)	(2,287)	(2,387)	(2,512)	(2,642)	(2,776)	(2,916)	(3,062)	(3,213)	(3,370)	(3,533)	(3,702)
Less Tax Sharing & Co Admin Charges	(1,050)	(1,183)	(1,322)	(1,474)	(1,635)	(1,800)	(1,983)	(2,164)	(2,373)	(2,592)	(2,818)	(3,050)	(3,294)	(3,647)
Other Revenue	536	536	536	536	536	536	536	536	536	536	536	536	536	536
Bond Reserve Earnings at 3%	34	34	34	34	34	37	37	37	37	37	37	37	37	37
Total Revenue	4,827	4,500	4,659	4,817	4,978	5,140	5,305	5,485	5,651	5,822	6,002	6,189	6,383	6,583
II. Expenditures:														
Existing Debt Service	1,158	1,157	1,161	1,165	1,161	1,161	1,161	1,161	1,161	1,161	1,161	1,161	1,161	1,161
Administration (4.4% of T.I.)	295	312	330	348	368	389	409	430	453	475	500	525	552	579
Total Expenditures	1,453	1,469	1,491	1,506	1,529	1,550	1,570	1,591	1,614	1,636	1,659	1,685	1,713	1,740
III. Available for Future Redevelopment Programs	3,474	3,030	3,168	3,310	3,449	3,640	3,964	4,138	4,264	4,430	4,585	4,763	4,914	5,080
IV. Future Redevelopment Program Allocations:														
Public Improvements at 45%	1,563	1,364	1,426	1,490	1,562	1,728	1,793	1,862	1,928	1,994	2,063	2,134	2,211	2,286
Land Assembly at 35%	1,216	1,061	1,109	1,169	1,207	1,344	1,394	1,448	1,499	1,551	1,605	1,660	1,720	1,778
Business Revitalization and Attraction at 20.0%	695	606	634	662	690	768	797	828	857	886	917	949	983	1,015
Total Future Redevelopment Allocations	3,474	3,030	3,168	3,310	3,449	3,840	3,984	4,138	4,284	4,430	4,585	4,763	4,914	5,080

Preliminary Report

Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37
I. Revenue:															
Gross Tax Incremental Revenue	13,918	14,591	15,290	16,017	16,771	17,556	18,371	19,218	20,098	16,041	11,507	12,165	12,746	13,350	13,977
Less Housing Set Aside	(3,878)	(4,061)	(4,251)	(4,445)	(4,654)	(4,867)	(5,089)	(5,319)	(5,558)	(4,315)	(2,955)	(3,095)	(3,244)	(3,395)	(3,552)
Less Tax Sharing & Co Admin Charges	(3,895)	(4,076)	(4,261)	(4,455)	(4,652)	(4,876)	(5,101)	(5,326)	(5,565)	(4,813)	(4,125)	(4,395)	(4,676)	(4,961)	(5,251)
Other Revenue	536	536	536	536	536	536	536	536	536	536	536	536	536	536	536
Bond Reserve Earnings at 3%															
Total Revenue	6,796	7,003	7,227	7,462	7,705	7,963	8,230	8,452	8,684	7,448	5,048	5,207	5,369	5,495	5,643
II. Expenditures:															
Existing Debt Service	923	480	480	480	480	480	480	480	480	0	0	0	0	0	0
Administration (4.4% of T.I.)	607	636	667	699	732	766	801	838	877	700	505	531	556	582	610
Total Expenditures	1,530	1,116	1,147	1,179	1,212	1,246	1,281	1,318	1,357	700	505	531	556	582	610
III. Available for Future Redevelopment Programs	5,265	5,886	6,080	6,283	6,493	6,717	6,948	7,133	7,327	6,748	4,541	4,676	4,802	4,916	5,033
IV. Future Redevelopment Program Allocations:															
Public Improvements at 45%	2,369	2,649	2,736	2,827	2,922	3,023	3,127	3,210	3,297	3,037	2,043	2,104	2,161	2,212	2,265
Land Assembly at 35%	1,843	2,060	2,128	2,199	2,273	2,351	2,432	2,497	2,564	2,362	1,589	1,637	1,681	1,721	1,762
Business Revitalization and Attraction at 20.0%	1,053	1,177	1,216	1,257	1,299	1,343	1,390	1,427	1,465	1,350	908	935	960	983	1,007
Total Future Redevelopment Allocations	5,265	5,886	6,080	6,283	6,493	6,717	6,948	7,133	7,327	6,748	4,541	4,676	4,802	4,916	5,033

Source: Redevelopment Agency FY 2007-08 Budget
 Prepared by Keyser Marston Associates, Inc.
 Filename: Merger1_TL_2008-05-16 (2).xls 08-05 Cash: 7/21/2008: CSH: Page 2 of 3

Preliminary Report

Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	30	31	32	33	34	35	36	37	38	39	40	41	Totals
	2037-38	2038-39	2039-40	2040-41	2041-42	2042-43	2043-44	2044-45	2045-46	2046-47	2047-48	2048-49	Memo
I. Revenue:													Only
Gross Tax Increment Revenue	14,629	15,306	16,010	16,741	17,502	18,292	19,113	8,212	6,087	6,349	4,163	890	511,747
Less Housing Set Aside	(3,715)	(3,885)	(4,081)	(4,244)	(4,435)	(4,633)	(4,838)	(2,494)	(1,826)	(1,999)	(1,249)	(267)	(136,132)
Less Tax Sharing & Co Admin Charges	(5,654)	(6,010)	(6,374)	(6,754)	(7,150)	(7,559)	(7,953)	(3,255)	(2,773)	(2,919)	(1,903)	(464)	(152,650)
Other Revenue	536	536	536	536	536	536	536	0	0	0	0	0	19,290
Bond Reserve Earnings at 3%	0	0	0	0	0	0	0	0	0	0	0	0	552
Total Revenue	5,794	5,946	6,110	6,279	6,453	6,636	6,827	2,493	1,488	1,525	1,011	59	230,807
II. Expenditures													
Existing Debt Service	0	0	0	0	0	0	0	0	0	0	0	0	18,804
Administration (4.4% of T.I.)	638	668	698	730	763	798	834	358	266	277	182	39	22,323
Total Expenditures	638	668	698	730	763	798	834	358	266	277	182	39	41,127
III. Available for Future Redevelopment Programs	5,155	5,278	5,411	5,548	5,689	5,838	5,993	2,134	1,222	1,248	829	20	
IV. Future Redevelopment Program Allocations:													
Public Improvements at 45%	2,320	2,375	2,435	2,497	2,560	2,627	2,697	960	550	562	373	9	86,339
Land Assembly at 3.5%	1,804	1,847	1,894	1,942	1,991	2,043	2,098	747	428	437	290	7	56,375
Business Revitalization and Attraction at 20.0%	1,031	1,056	1,082	1,110	1,138	1,168	1,199	427	244	250	158	4	37,525
Total Future Redevelopment Allocations	5,155	5,278	5,411	5,548	5,689	5,838	5,993	2,134	1,222	1,248	829	20	189,642

Table 37

Preliminary Report

**Tax Increment Revenue Projection
Merger 1 - Combined Project Areas
Fresno Redevelopment Agency
(\$000's Omitted)**

Fiscal Year	1 Total Increment Revenue	2 Less County Admin Fee	3 Less Housing Set Aside	4 Less Existing Pass Thru	5 2% Inflation Allocation	6 Less Triggered Statutory Sharing	7 Net Tax Revenue
2008-09	6,756	(135)	(1,352)	(35)	(148)	(731)	4,357
2009-10	7,153	(143)	(2,040)	(37)	(156)	(846)	3,930
2010-11	7,563	(151)	(2,151)	(39)	(164)	(967)	4,090
2011-12	7,988	(160)	(2,267)	(41)	(173)	(1,101)	4,247
2012-13	8,431	(169)	(2,387)	(44)	(181)	(1,242)	4,409
2013-14	8,890	(178)	(2,512)	(46)	(190)	(1,387)	4,578
2014-15	9,367	(187)	(2,642)	(48)	(198)	(1,549)	4,742
2015-16	9,863	(197)	(2,776)	(51)	(207)	(1,728)	4,923
2016-17	10,378	(208)	(2,916)	(53)	(217)	(1,916)	5,089
2017-18	10,913	(218)	(3,062)	(55)	(226)	(2,113)	5,259
2018-19	11,469	(229)	(3,213)	(56)	(235)	(2,315)	5,440
2019-20	12,046	(241)	(3,370)	(58)	(245)	(2,526)	5,626
2020-21	12,647	(253)	(3,533)	(60)	(255)	(2,748)	5,820
2021-22	13,270	(265)	(3,702)	(62)	(265)	(2,974)	6,021
2022-23	13,918	(278)	(3,878)	(64)	(275)	(3,208)	6,234
2023-24	14,591	(292)	(4,061)	(66)	(286)	(3,452)	6,453
2024-25	15,290	(306)	(4,251)	(68)	(297)	(3,710)	6,678
2025-26	16,017	(320)	(4,449)	(70)	(308)	(3,976)	6,913
2026-27	16,771	(335)	(4,654)	(72)	(319)	(4,255)	7,156
2027-28	17,556	(351)	(4,867)	(74)	(330)	(4,539)	7,413
2028-29	18,371	(367)	(5,089)	(76)	(342)	(4,834)	7,681
2029-30	19,218	(384)	(5,319)	(78)	(354)	(5,136)	7,903
2030-31	20,098	(402)	(5,558)	(80)	(366)	(5,444)	8,134
2031-32	16,041	(321)	(4,315)	(42)	(378)	(4,073)	6,912
2032-33	11,807	(232)	(2,958)	(18)	(390)	(3,405)	4,813
2033-34	12,165	(243)	(3,098)	(18)	(403)	(3,730)	4,672
2034-35	12,746	(255)	(3,244)	(19)	(416)	(3,989)	4,823
2035-36	13,350	(267)	(3,395)	(20)	(430)	(4,274)	4,964
2036-37	13,977	(280)	(3,552)	(21)	(443)	(4,574)	5,108
2037-38	14,629	(293)	(3,715)	(22)	(457)	(4,883)	5,259
2038-39	15,306	(306)	(3,885)	(23)	(471)	(5,210)	5,411
2039-40	16,010	(320)	(4,061)	(24)	(486)	(5,544)	5,575
2040-41	16,741	(335)	(4,244)	(25)	(500)	(5,893)	5,744
2041-42	17,502	(350)	(4,435)	(27)	(515)	(6,258)	5,917
2042-43	18,292	(366)	(4,633)	(28)	(531)	(6,635)	6,100
2043-44	19,113	(382)	(4,838)	(29)	(546)	(7,026)	6,292
2044-45	8,212	(164)	(2,464)	(30)	(562)	(2,498)	2,493
2045-46	6,087	(122)	(1,826)	(32)	(578)	(2,041)	1,488
2046-47	6,349	(127)	(1,905)	(33)	(595)	(2,184)	1,525
2047-48	4,163	(83)	(1,249)	(35)	(612)	(1,173)	1,012
2048-49	890	(18)	(267)	(18)	(307)	(221)	59
TOTAL	511,747	(10,235)	(138,132)	(1,491)	(14,358)	(136,566)	210,965

Table 36
Tax Increment Revenue Projection
Merger 1 - Central Business Project
Fresno Redevelopment Agency
(\$000's Omitted)

Fiscal Year	(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$40,802	Gross Increment Revenue	Increased Limit x 8 \$128,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.376%	(5) Triggered Statutory Sharing	Net Tax Revenue
48 2008-09	123,682	23,099	146,781	105,990	1,147	0	1,147	(23)	(229)	(16)	(227)	652
49 2009-10	128,830	23,861	152,690	111,389	1,206	0	1,206	(24)	(362)	(17)	(239)	584
50 2010-11	133,775	24,032	157,807	117,005	1,266	0	1,266	(25)	(380)	(17)	(251)	593
51 2011-12	139,126	24,513	163,639	122,837	1,330	0	1,330	(27)	(399)	(18)	(274)	612
52 2012-13	144,691	25,003	169,694	128,692	1,395	0	1,395	(28)	(419)	(19)	(298)	631
53 2013-14	150,478	25,503	175,981	135,180	1,463	0	1,463	(29)	(439)	(20)	(323)	652
54 2014-15	156,497	26,013	182,511	141,709	1,534	0	1,534	(31)	(460)	(21)	(348)	674
55 2015-16	162,757	26,533	189,290	148,480	1,607	0	1,607	(32)	(482)	(22)	(375)	698
56 2016-17	169,268	27,064	196,332	155,530	1,683	0	1,683	(34)	(505)	(23)	(403)	719
57 2017-18	176,038	27,605	203,644	162,842	1,763	0	1,763	(35)	(529)	(24)	(431)	743
58 2018-19	183,060	28,157	211,237	170,436	1,845	0	1,845	(37)	(553)	(25)	(461)	768
59 2019-20	190,403	28,721	219,124	178,322	1,930	0	1,930	(39)	(579)	(27)	(493)	793
60 2020-21	198,019	29,295	227,314	186,513	2,019	0	2,019	(40)	(606)	(28)	(524)	821
61 2021-22	205,940	29,881	235,821	195,019	2,111	0	2,111	(42)	(633)	(29)	(558)	848
1 2022-23	214,178	30,479	244,656	203,858	2,207	0	2,207	(44)	(662)	(30)	(592)	878
2 2023-24	222,745	31,088	253,833	213,031	2,306	0	2,306	(46)	(692)	(32)	(629)	907
3 2024-25	231,655	31,710	263,364	222,563	2,409	0	2,409	(48)	(723)	(33)	(665)	940
4 2025-26	240,821	32,344	273,265	232,463	2,516	0	2,516	(50)	(755)	(35)	(705)	971
5 2026-27	250,558	32,991	283,548	242,747	2,627	0	2,627	(53)	(788)	(36)	(745)	1,006
6 2027-28	260,580	33,651	294,231	253,429	2,743	0	2,743	(55)	(823)	(38)	(788)	1,040
7 2028-29	271,003	34,324	305,327	264,525	2,863	0	2,863	(57)	(859)	(39)	(831)	1,077
8 2029-30	281,843	35,010	316,853	276,052	2,988	0	2,988	(60)	(896)	(41)	(879)	1,115
9 2030-31	293,117	35,710	328,827	288,020	3,118	0	3,118	(62)	(935)	(43)	(923)	1,154
10 2031-32	304,842	36,426	341,268	300,486	3,256	0	3,256	(63)	(975)	(44)	(972)	1,194

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2008-07.
- For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 3-16-2001 (FY 2000-01 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 39
Tax Increment Revenue Projection
Merger 1 - Chinatown Original (WFRP)
Fresno Redevelopment Agency
(\$000's Omitted)

	(1)	(2)	Total	Increment	Gross	NO	(3)	County	Housing	Library	(5)	Net	
Fiscal	Total	Total	Total	Over	Increment	TI Limit	Total	Admin	Set	Pass	Triggered	Tax	
Year	Secured	Unsecured	Project	Base	Revenue	Forfeiture	Increment	Fee	Aside	Thru	Statutory	Revenue	
	104%	102%	Value	\$5,637			Revenue	-2%	-30%	-2.031%	Sharing		
43	2008-09	10,917	946	11,763	6,126	66	0	86	(1)	(13)	(1)	(6)	44
44	2009-10	11,353	863	12,217	6,579	71	0	71	(1)	(21)	(1)	(7)	40
45	2010-11	11,807	881	12,688	7,051	76	0	76	(2)	(23)	(2)	(8)	42
46	2011-12	12,280	898	13,178	7,541	82	0	82	(2)	(24)	(2)	(10)	44
47	2012-13	12,771	916	13,687	8,050	87	0	87	(2)	(26)	(2)	(11)	46
48	2013-14	13,282	934	14,216	8,570	93	0	93	(2)	(28)	(2)	(12)	49
49	2014-15	13,813	953	14,766	9,129	98	0	98	(2)	(30)	(2)	(15)	50
50	2015-16	14,366	972	15,338	9,701	105	0	105	(2)	(32)	(2)	(17)	52
51	2016-17	14,940	992	15,932	10,295	111	0	111	(2)	(33)	(2)	(20)	54
52	2017-18	15,538	1,011	16,549	10,912	118	0	118	(2)	(35)	(2)	(22)	56
53	2018-19	16,159	1,032	17,191	11,554	125	0	125	(3)	(38)	(3)	(24)	59
54	2019-20	16,806	1,052	17,858	12,221	132	0	132	(3)	(40)	(3)	(27)	60
55	2020-21	17,478	1,073	18,551	12,914	140	0	140	(3)	(42)	(3)	(29)	63
56	2021-22	18,177	1,095	19,272	13,635	149	0	148	(3)	(44)	(3)	(33)	64
1	2022-23	18,904	1,117	20,021	14,384	156	0	156	(3)	(47)	(3)	(35)	68
2	2023-24	19,660	1,139	20,799	15,162	164	0	164	(3)	(49)	(3)	(39)	70
3	2024-25	20,447	1,162	21,609	15,971	173	0	173	(3)	(52)	(4)	(42)	72
4	2025-26	21,265	1,185	22,450	16,812	182	0	182	(4)	(55)	(4)	(45)	75
5	2026-27	22,115	1,209	23,324	17,687	191	0	191	(4)	(57)	(4)	(49)	77
6	2027-28	23,000	1,233	24,233	18,596	201	0	201	(4)	(60)	(4)	(51)	82
7	2028-29	23,920	1,256	25,177	19,540	212	0	212	(4)	(63)	(4)	(55)	85
8	2029-30	24,877	1,283	26,160	20,522	222	0	222	(4)	(67)	(5)	(59)	88
9	2030-31	25,872	1,308	27,180	21,543	233	0	233	(5)	(70)	(5)	(63)	91
10	2031-32	26,907	1,335	28,241	22,604	222	0	222	(5)	(73)	(5)	(67)	94

(1) Secured value inflationary growth factor assumed at 4% per year.
 (2) Unsecured value inflationary growth factor assumed to be 2% per year.
 (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
 (4) Source: Fresno Redevelopment Agency payment to Library District.
 (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 1-1-2004 (FY 2003-04 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 40

**Tax Increment Revenue Projection
Merger 1 - Chinatown Expanded
Fresno Redevelopment Agency
(\$000's Omitted)**

Fiscal Year	(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$19,236	Gross Increment Revenue	Increased Limit v a \$128,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -2.031%	(4) 2% Inflation Allocation	(5) Triggered Statutory Sharing	Net Tax Revenue
23 2008-09	37,284	2,131	39,418	20,179	218	0	218	(4)	(44)	(4)	(71)	0	95
24 2009-10	35,776	2,173	40,949	21,713	235	0	235	(5)	(71)	(5)	(75)	(3)	77
25 2010-11	40,327	2,217	42,543	23,307	282	0	282	(5)	(76)	(5)	(79)	(7)	80
26 2011-12	41,940	2,201	44,201	24,955	270	0	270	(5)	(81)	(5)	(83)	(10)	85
27 2012-13	43,817	2,308	46,024	26,666	299	0	299	(6)	(87)	(6)	(87)	(14)	89
28 2013-14	45,362	2,352	47,714	28,478	308	0	308	(6)	(92)	(6)	(92)	(18)	94
29 2014-15	47,177	2,399	49,576	30,340	328	0	328	(7)	(99)	(7)	(98)	(22)	99
30 2015-16	49,054	2,447	51,511	32,278	348	0	348	(7)	(105)	(7)	(100)	(26)	104
31 2016-17	51,026	2,496	53,523	34,287	371	0	371	(7)	(111)	(8)	(105)	(34)	106
32 2017-18	53,087	2,548	55,614	36,378	394	0	394	(8)	(118)	(8)	(109)	(43)	107
33 2018-19	55,190	2,597	57,787	38,551	417	0	417	(8)	(125)	(8)	(114)	(51)	110
34 2019-20	57,398	2,649	60,047	40,811	442	0	442	(9)	(132)	(9)	(119)	(60)	113
35 2020-21	59,694	2,702	62,396	43,160	467	0	467	(9)	(140)	(9)	(124)	(69)	116
36 2021-22	62,081	2,756	64,837	45,601	494	0	494	(10)	(148)	(10)	(129)	(79)	118
37 2022-23	64,565	2,811	67,376	48,140	521	0	521	(10)	(156)	(11)	(134)	(89)	122
38 2023-24	67,147	2,867	70,015	50,779	550	0	550	(11)	(165)	(11)	(139)	(98)	126
39 2024-25	69,833	2,925	72,758	53,522	579	0	579	(12)	(174)	(12)	(144)	(109)	129
40 2025-26	72,626	2,983	75,610	56,374	610	0	610	(12)	(183)	(12)	(149)	(120)	133
41 2026-27	75,531	3,043	78,574	59,338	642	0	642	(13)	(192)	(13)	(155)	(133)	136
42 2027-28	78,553	3,104	81,656	62,420	676	0	676	(14)	(203)	(14)	(160)	(144)	141
43 2028-29	81,695	3,166	84,861	65,625	710	0	710	(14)	(213)	(14)	(166)	(156)	147
44 2029-30	84,963	3,229	88,192	68,988	746	0	746	(15)	(224)	(15)	(172)	(169)	152
45 2030-31	88,361	3,294	91,655	72,419	784	0	784	(16)	(235)	(16)	(178)	(184)	155
46 2031-32	91,895	3,360	95,255	76,019	823	0	823	(16)	(247)	(17)	(184)	(197)	162
47 2032-33	95,571	3,427	98,998	79,702	863	0	863	(17)	(259)	(18)	(190)	(212)	168
48 2033-34	99,394	3,495	102,889	83,654	905	0	905	(18)	(272)	(18)	(196)	(227)	174
49 2034-35	103,370	3,565	106,935	87,899	949	0	949	(19)	(285)	(19)	(203)	(242)	182
50 2035-36	107,505	3,637	111,141	91,905	995	0	995	(20)	(298)	(20)	(209)	(259)	188
51 2036-37	111,805	3,709	115,514	96,278	1,042	0	1,042	(21)	(313)	(21)	(216)	(283)	189
52 2037-38	116,277	3,783	120,061	100,825	1,091	0	1,091	(22)	(327)	(22)	(223)	(304)	193
53 2038-39	120,926	3,859	124,787	105,551	1,143	0	1,143	(23)	(343)	(23)	(229)	(330)	194
1 2039-40	125,766	3,936	129,702	110,466	1,196	0	1,196	(24)	(359)	(24)	(237)	(354)	198
2 2040-41	130,796	4,015	134,811	115,575	1,251	0	1,251	(25)	(375)	(25)	(244)	(380)	202
3 2041-42	136,028	4,095	140,123	120,807	1,309	0	1,309	(26)	(393)	(27)	(251)	(408)	204
4 2042-43	141,469	4,177	145,646	126,410	1,368	0	1,368	(27)	(410)	(28)	(259)	(435)	209
5 2043-44	147,128	4,261	151,389	132,152	1,430	0	1,430	(28)	(429)	(29)	(268)	(464)	213
6 2044-45	153,013	4,346	157,359	138,123	1,495	0	1,495	(30)	(449)	(30)	(274)	(495)	217
7 2045-46	159,133	4,433	163,566	144,330	1,562	0	1,562	(31)	(469)	(32)	(282)	(527)	222
8 2046-47	165,499	4,522	170,020	150,784	1,632	0	1,632	(33)	(490)	(33)	(290)	(560)	227
9 2047-48	172,118	4,612	176,731	157,496	1,705	0	1,705	(34)	(511)	(35)	(298)	(593)	233
10 2048-49	179,033	4,704	183,737	164,472	890	0	890	(18)	(287)	(18)	(307)	(221)	89

(1) Secured value inflationary growth factor assumed at 4% per year.
 (2) Unsecured value inflationary growth factor assumed to be 2% per year.
 (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
 (4) Source: Fresno Redevelopment Agency payment to Library District and County Auditor-Controller payment for Two Percent Inflation Allocation.
 (5) All 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 02-28-2006 (FY 2005-06 adjusted base). Amended limits now reflect a 2-28-2016 debt incurrence limit, 2-28-2026 plan effectiveness limit and a 2-28-2036 debt repayment limit.

Table 41
Tax Increment Revenue Projection
Merger 1 - Convention Center Project
Fresno Redevelopment Agency
(\$000's Omitted)

	(1)	(2)	Total	Increment	Gross	Increased	(3)	County	Housing	(4)	Net
Fiscal	Total	Unsecured	Project	Over	Increment	Limit x 7	Total	Admin Fee	Set Aside	Triggered	Tax
Year	104%	102%	Value	Base	Revenue	\$357,000	Increment	-2%	-30%	Statutory	Revenue
				\$21,952		TI Limit	Revenue			Sharing	
						Forfeiture					
27 2008-09	108,311	8,133	116,444	94,492	1,023	0	1,023	(20)	(205)	(121)	677
28 2009-10	112,644	8,296	120,939	96,987	1,071	0	1,071	(21)	(321)	(131)	588
29 2010-11	117,149	8,462	125,611	103,689	1,122	0	1,122	(22)	(337)	(141)	622
30 2011-12	121,835	8,631	130,466	108,514	1,175	0	1,175	(23)	(352)	(152)	647
31 2012-13	126,709	8,803	135,512	113,560	1,229	0	1,229	(25)	(369)	(163)	673
32 2013-14	131,777	8,980	140,757	118,804	1,286	0	1,286	(26)	(386)	(174)	700
33 2014-15	137,048	9,159	146,207	124,255	1,345	0	1,345	(27)	(403)	(186)	719
34 2015-16	142,530	9,342	151,872	129,920	1,406	0	1,406	(28)	(422)	(219)	737
35 2016-17	148,231	9,529	157,760	135,808	1,470	0	1,470	(29)	(441)	(242)	758
36 2017-18	154,160	9,720	163,880	141,928	1,536	0	1,536	(31)	(461)	(267)	778
37 2018-19	160,327	9,914	170,241	148,289	1,605	0	1,605	(32)	(482)	(282)	799
38 2019-20	166,740	10,112	176,852	154,900	1,677	0	1,677	(34)	(503)	(318)	822
39 2020-21	173,410	10,315	183,724	161,772	1,751	0	1,751	(35)	(525)	(346)	845
40 2021-22	180,346	10,521	190,867	169,915	1,828	0	1,828	(37)	(549)	(375)	868
41 2022-23	187,580	10,731	198,291	178,339	1,909	0	1,909	(38)	(573)	(404)	894
42 2023-24	195,082	10,946	206,008	184,066	1,992	0	1,992	(40)	(596)	(434)	921
43 2024-25	202,865	11,165	214,030	192,077	2,079	0	2,079	(42)	(624)	(467)	947
44 2025-26	210,979	11,388	222,367	200,415	2,169	0	2,169	(43)	(651)	(500)	975
45 2026-27	219,418	11,616	231,034	209,082	2,263	0	2,263	(45)	(679)	(535)	1,004
46 2027-28	228,195	11,848	240,043	218,091	2,361	0	2,361	(47)	(708)	(570)	1,035
47 2028-29	237,323	12,085	249,408	227,456	2,462	0	2,462	(49)	(739)	(607)	1,067
48 2029-30	246,816	12,327	259,143	237,191	2,567	0	2,567	(51)	(770)	(646)	1,100
49 2030-31	256,688	12,574	269,262	247,310	2,677	0	2,677	(54)	(803)	(686)	1,134
50 2031-32	266,956	12,826	279,781	257,829	2,791	0	2,791	(56)	(837)	(728)	1,170
51 2032-33	277,634	13,081	290,716	268,763	2,909	0	2,909	(58)	(873)	(772)	1,206
52 2033-34	288,740	13,343	302,083	280,130	3,032	0	3,032	(61)	(910)	(817)	1,245
53 2034-35	300,289	13,610	313,899	291,947	3,160	0	3,160	(63)	(948)	(879)	1,270
1 2035-36	312,301	13,882	326,183	304,231	3,293	0	3,293	(66)	(986)	(944)	1,295
2 2036-37	324,793	14,160	338,953	317,000	3,431	0	3,431	(68)	(1,029)	(1,009)	1,324
3 2037-38	337,784	14,443	352,227	330,275	3,575	0	3,575	(72)	(1,073)	(1,078)	1,353
4 2038-39	351,296	14,732	366,028	344,078	3,724	0	3,724	(74)	(1,117)	(1,150)	1,383
5 2039-40	365,348	15,027	380,374	358,422	3,880	0	3,880	(78)	(1,164)	(1,224)	1,414
6 2040-41	379,962	15,327	395,289	373,336	4,041	0	4,041	(81)	(1,212)	(1,301)	1,447
7 2041-42	395,160	15,634	410,794	388,841	4,209	0	4,209	(84)	(1,263)	(1,383)	1,479
8 2042-43	410,966	15,946	426,913	404,960	4,383	0	4,383	(88)	(1,318)	(1,467)	1,514
9 2043-44	427,408	16,268	443,676	421,716	4,565	0	4,565	(91)	(1,369)	(1,553)	1,551
10 2044-45	444,501	16,591	461,092	439,140	2,377	0	2,377	(48)	(713)	(576)	1,040

(1) Secured value inflationary growth factor assumed at 4% per year.
 (2) Unsecured value inflationary growth factor assumed to be 2% per year.
 (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
 (4) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 1-1-2004 (FY 2003-04 adjusted base).
 Attended limits now reflect a 1-1-2014 debt incurrence limit, 1-12-2022 plan effectiveness limit and a 1-12-2032 debt repayment limit.

Table 42
Tax Increment Revenue Projection
Merger 1 -Fulton Redevelopment Project
Fresno Redevelopment Agency
(\$000's Omitted)

Fiscal Year	(1)		(2)				NO TI Limit Forfeiture	(3)	County Admin Fee -2%	Housing Set Aside -20%	(4)	Net Tax Revenue
	Total Secured 104%	Total Unsecured 102%	Total Project Value	Increment Over Base \$55,074	Gross Increment Revenue	Total Increment Revenue		Triggered Statutory Sharing				
10 2009-09	95,756	0,260	104,016	48,942	530	0	530	(11)	(106)	(106)	307	
11 2009-10	99,586	8,425	108,011	52,937	573	0	573	(11)	(115)	(122)	325	
12 2010-11	103,589	8,594	112,183	57,089	618	0	618	(12)	(124)	(138)	344	
13 2011-12	107,712	8,768	116,478	61,404	665	0	665	(13)	(133)	(156)	363	
14 2012-13	112,021	8,941	120,962	65,867	713	0	713	(14)	(143)	(173)	383	
15 2013-14	116,502	9,120	125,621	70,547	764	0	764	(15)	(153)	(192)	404	
16 2014-15	121,162	9,302	130,464	75,390	816	0	816	(16)	(163)	(211)	425	
17 2015-16	126,008	9,488	135,496	80,422	871	0	871	(17)	(174)	(231)	448	
18 2016-17	131,048	9,678	140,726	85,652	927	0	927	(19)	(185)	(252)	471	
19 2017-18	136,290	9,872	146,162	91,068	986	0	986	(20)	(197)	(274)	495	
20 2018-19	141,742	10,069	151,811	96,737	1,047	0	1,047	(21)	(209)	(296)	520	
21 2019-20	147,412	10,270	157,682	102,608	1,111	0	1,111	(22)	(222)	(320)	547	
22 2020-21	153,308	10,476	163,784	108,710	1,177	0	1,177	(24)	(235)	(344)	574	
23 2021-22	159,440	10,685	170,126	115,051	1,245	0	1,245	(25)	(249)	(369)	602	
24 2022-23	165,816	10,899	176,717	121,643	1,317	0	1,317	(26)	(263)	(396)	631	
25 2023-24	172,451	11,117	183,568	128,494	1,391	0	1,391	(28)	(278)	(423)	662	
26 2024-25	179,349	11,339	190,688	135,614	1,468	0	1,468	(29)	(294)	(451)	694	
27 2025-26	186,523	11,568	198,099	143,015	1,548	0	1,548	(31)	(310)	(481)	727	
28 2026-27	193,984	11,797	205,781	150,707	1,631	0	1,631	(33)	(326)	(511)	761	
29 2027-28	201,743	12,033	213,776	158,702	1,718	0	1,718	(34)	(344)	(543)	797	
30 2028-29	209,813	12,274	222,087	167,013	1,808	0	1,808	(36)	(362)	(576)	834	
31 2029-30	218,205	12,520	230,725	175,651	1,901	0	1,901	(38)	(380)	(621)	862	
32 2030-31	226,933	12,770	239,703	184,629	1,998	0	1,998	(40)	(400)	(668)	891	
33 2031-32	236,011	13,025	249,036	193,962	2,100	0	2,100	(42)	(420)	(716)	921	
34 2032-33	245,451	13,286	258,737	203,663	2,205	0	2,205	(44)	(441)	(767)	953	
35 2033-34	255,269	13,552	268,821	213,747	2,314	0	2,314	(46)	(463)	(819)	986	
36 2034-35	265,480	13,823	279,303	224,228	2,427	0	2,427	(49)	(485)	(874)	1,020	
37 2035-36	276,099	14,099	290,198	235,124	2,545	0	2,545	(51)	(509)	(930)	1,055	
38 2036-37	287,143	14,381	301,524	246,450	2,668	0	2,668	(53)	(534)	(989)	1,092	
39 2037-38	298,629	14,669	313,298	258,223	2,795	0	2,795	(56)	(559)	(1,050)	1,130	
40 2038-39	310,574	14,962	325,536	270,462	2,928	0	2,928	(59)	(586)	(1,114)	1,170	
41 2039-40	322,997	15,261	338,258	283,184	3,065	0	3,065	(61)	(613)	(1,180)	1,211	
42 2040-41	335,917	15,567	351,483	296,409	3,208	0	3,208	(64)	(642)	(1,249)	1,254	
43 2041-42	349,354	15,878	365,231	310,157	3,357	0	3,357	(67)	(671)	(1,320)	1,299	
44 2042-43	363,328	16,195	379,523	324,449	3,512	0	3,512	(70)	(702)	(1,394)	1,345	
45 2043-44	377,861	16,519	394,380	339,306	3,673	0	3,673	(73)	(735)	(1,471)	1,393	
46 2044-45	392,975	16,850	409,825	354,751	0	0	0	0	0	0	0	

(1) Secured value inflationary growth factor assumed at 4% per year.
(2) Unsecured value inflationary growth factor assumed to be 2% per year
(3) Gross Tax increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2005-07
(4) Project Areas adopted after 1-1-1994 are subject to the statutory pass through obligations set forth under H&S Code Section 33607.5.

Table 43

**Tax Increment Revenue Projection
Merger 1 - Jefferson Center Project
Fresno Redevelopment Agency
(\$000's Omitted)**

	(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$36,422	Gross Increment Revenue	Increased Limit x 2 \$470,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.8551%	(4) 2% Inflation Allocation	(5) Triggered Statutory Sharing	Net Tax Revenue
24 2008-09	101,718	9,793	111,481	75,059	812	0	812	(16)	(162)	(13)	(77)	(33)	610
25 2009-10	105,787	9,958	115,745	79,323	859	0	859	(17)	(258)	(14)	(81)	(43)	446
26 2010-11	110,019	10,157	120,178	83,753	907	0	907	(18)	(272)	(15)	(85)	(52)	464
27 2011-12	114,419	10,360	124,780	88,357	956	0	956	(19)	(287)	(16)	(89)	(61)	484
28 2012-13	118,996	10,567	129,564	93,141	1,008	0	1,008	(20)	(302)	(17)	(94)	(72)	503
29 2013-14	123,798	10,779	134,538	98,112	1,062	0	1,062	(21)	(319)	(18)	(99)	(82)	525
30 2014-15	128,706	10,994	139,701	103,278	1,118	0	1,118	(22)	(335)	(19)	(103)	(94)	545
31 2015-16	133,655	11,214	144,869	108,640	1,176	0	1,176	(24)	(353)	0	(107)	(115)	578
32 2016-17	138,209	11,438	150,568	114,225	1,236	0	1,236	(25)	(371)	0	(112)	(130)	593
33 2017-18	144,777	11,667	156,444	120,022	1,299	0	1,299	(26)	(390)	0	(117)	(160)	607
34 2018-19	150,568	11,901	162,469	126,049	1,364	0	1,364	(27)	(409)	0	(121)	(183)	623
35 2019-20	156,591	12,139	168,730	132,307	1,432	0	1,432	(29)	(430)	0	(126)	(207)	641
36 2020-21	162,855	12,381	175,236	138,813	1,503	0	1,503	(30)	(451)	0	(131)	(234)	656
37 2021-22	169,369	12,629	181,998	145,575	1,576	0	1,576	(32)	(473)	0	(137)	(259)	676
38 2022-23	176,143	12,882	189,025	152,603	1,652	0	1,652	(33)	(496)	0	(142)	(287)	694
39 2023-24	183,189	13,139	196,328	159,908	1,731	0	1,731	(35)	(519)	0	(147)	(315)	715
40 2024-25	190,517	13,402	203,919	167,496	1,813	0	1,813	(36)	(544)	0	(153)	(346)	734
41 2025-26	198,137	13,670	211,807	175,385	1,898	0	1,898	(38)	(570)	0	(158)	(377)	750
42 2026-27	206,063	13,943	220,006	183,584	1,987	0	1,987	(40)	(596)	0	(164)	(409)	776
43 2027-28	214,305	14,222	228,528	192,105	2,079	0	2,079	(42)	(624)	0	(170)	(442)	802
44 2028-29	222,878	14,507	237,384	200,962	2,175	0	2,175	(44)	(653)	0	(176)	(476)	828
45 2029-30	231,793	14,797	246,590	210,167	2,275	0	2,275	(45)	(682)	0	(182)	(513)	852
46 2030-31	241,064	15,093	256,157	219,735	2,378	0	2,378	(48)	(714)	0	(188)	(550)	880
47 2031-32	250,707	15,395	266,102	229,679	2,486	0	2,486	(50)	(749)	0	(194)	(589)	907
48 2032-33	260,735	15,703	276,438	240,015	2,598	0	2,598	(52)	(779)	0	(201)	(630)	936
49 2033-34	271,165	16,017	287,181	250,759	2,714	0	2,714	(54)	(814)	0	(207)	(672)	967
50 2034-35	282,011	16,337	298,348	261,926	2,835	0	2,835	(57)	(851)	0	(214)	(715)	999
51 2035-36	293,292	16,664	309,956	273,533	2,961	0	2,961	(59)	(888)	0	(221)	(775)	1,018
52 2036-37	305,023	16,997	322,020	285,596	3,091	0	3,091	(62)	(927)	0	(227)	(836)	1,039
53 2037-38	317,224	17,337	334,561	298,139	3,227	0	3,227	(65)	(968)	0	(235)	(900)	1,060
1 2038-39	329,913	17,684	347,597	311,175	3,368	0	3,368	(67)	(1,010)	0	(242)	(968)	1,081
2 2039-40	343,110	18,037	361,147	324,725	3,515	0	3,515	(70)	(1,054)	0	(249)	(1,037)	1,104
3 2040-41	356,834	18,398	375,232	338,810	3,667	0	3,667	(73)	(1,100)	0	(257)	(1,109)	1,128
4 2041-42	371,108	18,766	389,874	353,451	3,826	0	3,826	(77)	(1,148)	0	(264)	(1,183)	1,154
5 2042-43	386,952	19,141	406,093	368,671	3,991	0	3,991	(80)	(1,197)	0	(272)	(1,261)	1,181
6 2043-44	401,390	19,524	420,914	384,492	4,162	0	4,162	(83)	(1,249)	0	(280)	(1,342)	1,208
7 2044-45	417,448	19,915	437,380	400,938	4,340	0	4,340	(87)	(1,302)	0	(288)	(1,427)	1,236
8 2045-46	434,144	20,313	454,457	418,034	4,525	0	4,525	(90)	(1,357)	0	(297)	(1,514)	1,266
9 2046-47	451,509	20,719	472,229	435,806	4,717	0	4,717	(94)	(1,415)	0	(305)	(1,604)	1,299
10 2047-48	469,570	21,134	490,703	454,281	4,915	0	4,915	(99)	(1,476)	0	(314)	(1,699)	1,333

(1) Secured value inflationary growth factor assumed at 4% per year.
 (2) Unsecured value inflationary growth factor assumed to be 2% per year.
 (3) Gross Tax increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2005-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
 (4) Source: Fresno Redevelopment Agency payment to Library District and County Auditor-Controller payment for Two Percent Inflation Allocation.
 (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 12-18-2004 (FY 2003-04 adjusted base). Amended limits now reflect a 12-18-2014 debt incurrence limit, 12-18-2024 plan effectiveness limit and a 12-18-2034 debt repayment limit.

Table 44
Tax Increment Revenue Projection
Merger 1 - Mariposa Project
Fresno Redevelopment Agency
(\$000's Omitted)

	(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$20,102	Gross Increment Revenue	Increased Limit x 3 \$150,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.3723%	(5) Triggered Statutory Sharing	Net Tax Revenue	
40	2008-09	137,556	11,021	148,576	128,474	1,391	0	1,391	(28)	(278)	0	(139)	946
41	2009-10	143,058	11,241	154,299	134,197	1,453	0	1,453	(29)	(436)	0	(162)	826
42	2010-11	148,780	11,486	160,266	140,144	1,517	0	1,517	(30)	(455)	0	(186)	846
43	2011-12	154,732	11,695	166,427	146,324	1,584	0	1,584	(32)	(475)	0	(210)	867
44	2012-13	160,921	11,929	172,850	152,748	1,653	0	1,653	(33)	(495)	0	(235)	889
45	2013-14	167,358	12,188	179,525	159,423	1,726	0	1,726	(35)	(518)	0	(261)	912
46	2014-15	174,052	12,411	186,463	166,301	1,801	0	1,801	(36)	(540)	0	(289)	937
47	2015-16	181,014	12,659	193,673	173,571	1,879	0	1,879	(38)	(564)	0	(317)	961
48	2016-17	188,255	12,912	201,167	181,085	1,960	0	1,960	(39)	(588)	0	(346)	987
49	2017-18	195,785	13,171	208,955	188,853	2,044	0	2,044	(41)	(613)	0	(376)	1,014
50	2018-19	203,616	13,434	217,050	196,948	2,132	0	2,132	(43)	(640)	0	(409)	1,041
51	2019-20	211,761	13,703	225,464	205,361	2,223	0	2,223	(44)	(667)	0	(441)	1,071
52	2020-21	220,231	13,977	234,208	214,108	2,318	0	2,318	(46)	(695)	0	(478)	1,100
53	2021-22	229,040	14,256	243,297	223,194	2,416	0	2,416	(48)	(725)	0	(511)	1,132
1	2022-23	238,202	14,542	252,744	232,841	2,518	0	2,518	(50)	(755)	0	(549)	1,163
2	2023-24	247,730	14,832	262,563	242,460	2,624	0	2,624	(52)	(787)	0	(587)	1,198
3	2024-25	257,639	15,129	272,768	252,066	2,735	0	2,735	(55)	(820)	0	(627)	1,233
4	2025-26	267,945	15,432	283,377	263,274	2,850	0	2,850	(57)	(855)	0	(669)	1,269
5	2026-27	278,663	15,740	294,403	274,301	2,969	0	2,969	(59)	(891)	0	(713)	1,306
6	2027-28	289,809	16,055	305,864	285,762	3,093	0	3,093	(62)	(928)	0	(759)	1,345
7	2028-29	301,402	16,376	317,778	297,675	3,222	0	3,222	(64)	(967)	0	(804)	1,387
8	2029-30	313,458	16,704	330,161	310,059	3,356	0	3,356	(67)	(1,007)	0	(858)	1,413
9	2030-31	326,990	17,038	344,028	322,931	3,496	0	3,496	(70)	(1,049)	0	(934)	1,443
10	2031-32	339,036	17,379	356,414	336,312	3,620	0	3,620	(73)	(1,092)	0	(1,011)	1,463

(1) Secured value inflationary growth factor assumed at 4% per year.
(2) Unsecured value inflationary growth factor assumed to be 2% per year.
(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
(4) Source: Fresno Redevelopment Agency payment to Library District.
(5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 2-14-1999 (FY 1999-99 adjusted base). Amended limits now reflect a 1-14-2000 debt incurrence limit, 1-14-2000 plan effectiveness limit and a 1-14-2010 debt repayment limit.

Table 45
Tax Increment Revenue Projection
Merger 1 - South Van Ness Redevelopment Project
Fresno Redevelopment Agency
(\$000's Omitted)

	Fiscal Year	(1)		Total Project Value	Increment Over Base \$141,681	Gross Increment Revenue	NO TI Limit Forfeiture	(3) Total Increment Revenue	(4)			Net Tax Revenue
		Total Secured 104%	Total Unsecured 102%						County Admin Fee -2%	Housing Set Aside 20%	Triggered Statutory Sharing	
10	2008-09	141,402	30,254	180,656	38,975	416	0	416	(8)	(83)	(83)	241
11	2009-10	147,058	40,039	187,097	45,416	485	0	485	(10)	(97)	(109)	270
12	2010-11	152,940	40,840	193,780	52,099	556	0	556	(11)	(111)	(135)	299
13	2011-12	159,058	41,957	200,715	59,033	630	0	630	(13)	(126)	(162)	330
14	2012-13	165,420	42,490	207,910	66,229	707	0	707	(14)	(141)	(190)	361
15	2013-14	172,037	43,340	215,377	73,695	787	0	787	(16)	(157)	(220)	394
16	2014-15	178,918	44,207	223,125	81,444	870	0	870	(17)	(174)	(260)	428
17	2015-16	186,075	45,091	231,166	89,485	955	0	955	(19)	(191)	(282)	464
18	2016-17	193,516	45,993	239,511	97,629	1,045	0	1,045	(21)	(209)	(314)	500
19	2017-18	201,259	46,913	248,171	106,490	1,137	0	1,137	(23)	(227)	(349)	539
20	2018-19	209,309	47,851	257,160	115,479	1,233	0	1,233	(25)	(247)	(384)	578
21	2019-20	217,691	48,808	266,499	124,808	1,333	0	1,333	(27)	(267)	(420)	619
22	2020-21	226,399	49,784	276,173	134,491	1,436	0	1,436	(29)	(287)	(459)	662
23	2021-22	235,444	50,780	286,224	144,543	1,543	0	1,543	(31)	(309)	(498)	706
24	2022-23	244,862	51,795	296,657	154,976	1,655	0	1,655	(33)	(331)	(539)	752
25	2023-24	254,656	52,831	307,487	165,806	1,770	0	1,770	(35)	(354)	(582)	799
26	2024-25	264,843	53,888	318,730	177,049	1,890	0	1,890	(38)	(378)	(626)	849
27	2025-26	275,436	54,966	330,402	188,721	2,015	0	2,015	(40)	(403)	(672)	900
28	2026-27	286,454	56,065	342,519	200,837	2,144	0	2,144	(43)	(429)	(719)	953
29	2027-28	297,912	57,186	355,098	213,417	2,279	0	2,279	(46)	(466)	(769)	1,009
30	2028-29	309,828	58,330	368,158	226,477	2,418	0	2,418	(48)	(484)	(820)	1,066
31	2029-30	322,221	59,490	381,710	240,037	2,563	0	2,563	(51)	(513)	(889)	1,110
32	2030-31	335,110	60,666	395,707	254,116	2,713	0	2,713	(54)	(543)	(962)	1,155
33	2031-32	348,515	61,860	410,415	268,734	2,869	0	2,869	(57)	(574)	(1,037)	1,202
34	2032-33	362,455	63,138	425,593	283,912	3,031	0	3,031	(61)	(606)	(1,114)	1,250
35	2033-34	376,954	64,401	441,354	299,673	3,200	0	3,200	(64)	(640)	(1,195)	1,301
36	2034-35	392,032	65,689	457,721	316,039	3,374	0	3,374	(67)	(675)	(1,279)	1,353
37	2035-36	407,713	67,003	474,716	333,034	3,556	0	3,556	(71)	(711)	(1,366)	1,408
38	2036-37	424,022	68,343	492,364	350,883	3,744	0	3,744	(75)	(749)	(1,457)	1,464
39	2037-38	440,982	69,710	510,692	369,011	3,940	0	3,940	(79)	(785)	(1,550)	1,523
40	2038-39	458,622	71,104	529,725	388,044	4,143	0	4,143	(83)	(829)	(1,646)	1,584
41	2039-40	476,967	72,526	549,492	407,811	4,354	0	4,354	(87)	(871)	(1,749)	1,647
42	2040-41	496,045	73,976	570,022	428,340	4,573	0	4,573	(91)	(915)	(1,855)	1,713
43	2041-42	515,887	75,456	591,343	449,662	4,801	0	4,801	(96)	(960)	(1,964)	1,781
44	2042-43	536,522	76,965	613,488	471,606	5,038	0	5,038	(101)	(1,000)	(2,077)	1,852
45	2043-44	557,963	78,504	636,468	494,807	5,283	0	5,283	(106)	(1,057)	(2,195)	1,926
46	2044-45	580,303	80,074	660,377	518,696	0	0	0	0	0	0	0

(1) Secured value inflationary growth factor assumed at 4% per year.
(2) Unsecured value inflationary growth factor assumed to be 2% per year.
(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
(4) Project Areas adopted after 1-1-1994 are subject to the statutory pass through obligations set forth under H&S Code Section 33607.5

Table 46
Tax Increment Revenue Projection
Merger 1 - West Fresno I Project
Fresno Redevelopment Agency
(\$000's Omitted)

	(1) Fiscal Year	Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$2,691	Gross Increment Revenue	Increased Limit x 3 \$27,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.3924%	(5) Triggered Statutory Sharing	Net Tax Revenue
44	2008-09	15,514	8,075	23,589	20,899	220	0	228	(5)	(45)	0	(16)	160
45	2009-10	16,135	8,237	24,371	21,681	235	0	235	(5)	(70)	0	(18)	142
46	2010-11	16,780	8,401	25,182	22,491	243	0	243	(5)	(73)	0	(22)	144
47	2011-12	17,451	8,589	26,021	23,330	253	0	263	(5)	(76)	0	(24)	148
48	2012-13	18,150	8,741	26,890	24,199	262	0	262	(5)	(79)	0	(26)	150
49	2013-14	18,876	8,916	27,791	25,100	272	0	272	(5)	(82)	0	(32)	153
50	2014-15	19,631	9,094	28,724	26,034	282	0	282	(6)	(85)	0	(35)	157
51	2015-16	20,416	9,276	29,691	27,001	292	0	292	(6)	(88)	0	(39)	160
52	2016-17	21,232	9,461	30,694	28,003	303	0	303	(6)	(91)	0	(43)	163
53	2017-18	22,082	9,650	31,732	29,041	314	0	314	(6)	(94)	0	(48)	166
54	2018-19	22,965	9,844	32,808	30,118	326	0	326	(7)	(98)	0	(52)	170
55	2019-20	23,864	10,040	33,904	31,233	338	0	338	(7)	(101)	0	(56)	174
56	2020-21	24,839	10,241	35,080	32,380	351	0	351	(7)	(105)	0	(61)	177
57	2021-22	25,832	10,446	36,278	33,588	364	0	364	(7)	(109)	0	(66)	181
1	2022-23	26,866	10,655	37,521	34,830	377	0	377	(8)	(113)	0	(70)	186
2	2023-24	27,940	10,868	38,808	36,118	391	0	391	(8)	(117)	0	(76)	191
3	2024-25	29,058	11,085	40,143	37,453	405	0	405	(8)	(122)	0	(80)	196
4	2025-26	30,220	11,307	41,527	38,837	420	0	420	(9)	(126)	0	(86)	200
5	2026-27	31,429	11,533	42,962	40,271	436	0	436	(9)	(131)	0	(91)	205
6	2027-28	32,688	11,764	44,450	41,759	452	0	452	(9)	(136)	0	(97)	210
7	2028-29	33,994	11,999	45,993	43,302	469	0	469	(9)	(141)	0	(104)	215
8	2029-30	35,353	12,239	47,593	44,902	486	0	486	(10)	(146)	0	(110)	221
9	2030-31	36,768	12,484	49,252	46,561	504	0	504	(10)	(151)	0	(120)	223
10	2031-32	38,239	12,734	50,972	48,261	521	0	521	(10)	(156)	0	(128)	230

(1) Secured value inflationary growth factor assumed at 4% per year.
(2) Unsecured value inflationary growth factor assumed to be 2% per year.
(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
(4) Source: Fresno Redevelopment Agency payment to Library District.
(5) AB 1200 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 11-01-1999 (FY 1998-99 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 47

**Tax Increment Revenue Projection
Merger 1 - West Fresno II Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$2,045	Gross Increment Revenue	Increased Limit # 2 \$120,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Triggered Statutory Sharing	Net Tax Revenue
45	2008-00	84,008	3,623	87,631	85,786	929	0	929	(19)	(186)	0	724
46	2009-10	87,368	3,900	91,268	89,223	866	0	966	(19)	(290)	(13)	644
47	2010-11	90,863	3,978	94,841	92,796	1,004	0	1,004	(20)	(301)	(27)	656
48	2011-12	94,497	4,057	98,555	96,510	1,045	0	1,045	(21)	(313)	(42)	668
49	2012-13	98,277	4,138	102,416	100,371	1,086	0	1,086	(22)	(326)	(57)	682
50	2013-14	102,208	4,221	106,429	104,385	1,130	0	1,130	(23)	(339)	(73)	696
51	2014-15	106,297	4,306	110,602	108,557	1,175	0	1,175	(24)	(353)	(90)	709
52	2015-16	110,549	4,392	114,940	112,806	1,222	0	1,222	(24)	(367)	(107)	724
53	2016-17	114,971	4,480	119,450	117,406	1,271	0	1,271	(25)	(381)	(125)	739
54	2017-18	119,569	4,569	124,139	122,094	1,322	0	1,322	(26)	(396)	(144)	755
55	2018-19	124,362	4,661	129,023	126,968	1,374	0	1,374	(27)	(412)	(163)	772
56	2019-20	129,326	4,754	134,080	132,035	1,429	0	1,429	(29)	(429)	(184)	786
57	2020-21	134,499	4,849	139,348	137,303	1,486	0	1,486	(30)	(448)	(204)	807
58	2021-22	139,879	4,946	144,825	142,760	1,546	0	1,546	(31)	(464)	(226)	825
1	2022-23	145,475	5,045	150,519	148,474	1,607	0	1,607	(32)	(482)	(248)	845
2	2023-24	151,293	5,146	156,439	154,394	1,671	0	1,671	(33)	(501)	(272)	864
3	2024-25	157,345	5,249	162,594	160,549	1,738	0	1,738	(35)	(521)	(297)	885
4	2025-26	163,639	5,353	168,993	166,948	1,807	0	1,807	(36)	(542)	(322)	907
5	2026-27	170,185	5,461	175,645	173,600	1,879	0	1,879	(38)	(564)	(349)	929
6	2027-28	176,992	5,570	182,562	180,517	1,954	0	1,954	(39)	(588)	(377)	952
7	2028-29	184,072	5,681	189,753	187,708	2,032	0	2,032	(41)	(610)	(405)	977
8	2029-30	191,435	5,795	197,229	195,184	2,113	0	2,113	(42)	(634)	(445)	992
9	2030-31	199,092	5,911	205,003	202,958	2,197	0	2,197	(44)	(659)	(485)	1,009
10	2031-32	207,056	6,029	213,084	211,040	1,142	0	1,142	(23)	(343)	(78)	099

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) All 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 1-19-1999 (FY 1990-99 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 48

Preliminary Report

**Tax Increment Revenue Projection
Merger 1 - West Fresno III Project
Fresno Redevelopment Agency
(\$000's Omitted)**

	(1) Total Secured 102%	(2) Total Unsecured 100%	Total Project Value	Increment Over Base \$43	Gross Increment Revenue	Existing Limit v 1 \$6,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Triggered Statutory Sharing	Net Tax Revenue
40	2008-09	29	0	29	(14)	0	0	0	0	0	0
41	2009-10	30	0	30	(14)	0	0	0	0	0	0
42	2010-11	30	0	30	(13)	0	0	0	0	0	0
43	2011-12	31	0	31	(12)	0	0	0	0	0	0
44	2012-13	31	0	31	(12)	0	0	0	0	0	0
45	2013-14	32	0	32	(11)	0	0	0	0	0	0
46	2014-15	33	0	33	(10)	0	0	0	0	0	0
47	2015-16	33	0	33	(10)	0	0	0	0	0	0
48	2016-17	34	0	34	(9)	0	0	0	0	0	0
49	2017-18	35	0	35	(8)	0	0	0	0	0	0
50	2018-19	35	0	35	(8)	0	0	0	0	0	0
51	2019-20	36	0	36	(7)	0	0	0	0	0	0
1	2020-21	37	0	37	(6)	0	0	0	0	0	0
2	2021-22	37	0	37	(6)	0	0	0	0	0	0
3	2022-23	38	0	38	(5)	0	0	0	0	0	0
4	2023-24	39	0	39	(4)	0	0	0	0	0	0
5	2024-25	40	0	40	(3)	0	0	0	0	0	0
6	2025-26	41	0	41	(3)	0	0	0	0	0	0
7	2026-27	41	0	41	(2)	0	0	0	0	0	0
8	2027-28	42	0	42	(1)	0	0	0	0	0	0
9	2028-29	43	0	43	(0)	0	0	0	0	0	0
10	2029-30	44	0	44	1	0	0	0	0	0	0

(1) Secured value inflationary growth factor assumed at 2% per year

(2) Unsecured value inflationary growth factor assumed to be 0% per year

(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.

For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.

(4) Source: Fresno Redevelopment Agency payment to Library District

(5) AB 1200 tax sharing requirements commence the first year following the year in which one or more of the limitations

would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 2-14-1999 (FY 1998-99 adjusted base)

Amended limits now reflect a 1-14-2000 debt incurrence limit, 1-14-2000 plan effectiveness limit and a 1-14-2019 debt repayment limit.

IX. AMENDMENT TO THE AGENCY'S IMPLEMENTATION PLAN

On June 7, 2005, the Redevelopment Agency adopted Resolution No. 1661, approving a Multi-Project Five-Year Implementation Plan for the Constituent Project Areas in Merger No. 1. The Implementation Plan covers the five-year time period from June 7, 2005 through June 17, 2010. The Implementation Plan describes the Agency's goals and objectives for the Constituent Project Areas, a summary of the specific programs and estimated expenditures proposed to be made by the Agency during the five-year period of the Implementation Plan, explains how the goals and objectives, projects, and expenditures will eliminate blight within each Constituent Project Area, and implementation of the Agency's affordable housing program.

The purpose of this amendment to the Implementation Plan is to provide updated revenue and expenditure estimates. In the adopted Implementation Plan, the Agency had estimated that the new tax increment revenues available to the Agency for the five year time period would be \$17,155,000 for the non-housing programs and \$3,278,642 for the affordable housing program. The Agency now expects that the new tax increment revenues available to the Agency for the non-housing programs would be \$20,453,500, and the affordable housing program funds would be \$6,581,200. The estimate for funds received from Sale, Lease, and Loan Proceeds has been updated to reflect a lesser amount, primarily due to revised project implementation schedules.

Anticipated expenditures for the Agency's programs over the implementation plan's five year time period from June 7, 2005 through June 7, 2010 are as follows:

Table 49: Projected Agency Expenditures – FY 2005-2010

Program	Original 2005 Implementation Plan Estimates	2008 Plan Amendment Estimates
Administration and Planning	\$1,715,500	\$2,431,500
Land Assembly	\$3,775,500	\$5,200,000
Project Area Improvements	\$8,405,000	\$11,700,000
Business Revitalization and Attraction	\$3,259,500	\$4,500,000
Total for Non-Housing Programs	\$17,155,000	\$23,831,500
Affordable Housing Programs ⁴¹	\$3,278,642	\$6,581,200
TOTAL AGENCY PROGRAMS	\$20,433,642	\$30,412,700

⁴¹ An estimated 55 percent of these funds would be used to fund housing rehabilitation projects by the Agency's Community Housing Partnership Program (CHPP) with the Housing Authorities of the City and County of Fresno. The remaining 45 percent of the funds would provide gap financing for developments that assist the Agency in meeting its goals to revitalize distressed areas of the City designated as redevelopment project areas and meet the Agency's inclusionary and replacement housing requirements.

Estimated funds for the Agency's programs over the Implementation Plan's five-year time period from June 7, 2005 through June 7, 2010, are as follows:

Table 50: Projected Agency Revenues – FY 2005-2010

<i>Program</i>	Original 2005 Implementation Plan Estimates	2008 Plan Amendment Estimates
Tax Increment (carryover)	\$1,675,500	\$1,675,000
New Tax Increment	\$12,649,500	\$20,453,500
Sale, Lease, and Loan Proceeds	\$2,830,500	\$1,703,000
Total for Non-Housing Funds	\$17,155,000	\$23,831,500
Housing Set Aside Funds ⁴²	\$3,278,642	\$6,581,200
TOTAL AGENCY PROGRAMS	\$20,433,642	\$30,412,700

A status report on Agency achievements since the adoption of the Implementation Plan is scheduled for the Fall of 2008.

⁴² For 2010, the estimated funding amounts for low and moderate income housing are based on the 30 percent Set Aside requirement for 8 of the 10 Project Areas in Merger No. 1, per CRL requirement for amending existing plans.

X. NEIGHBORHOOD IMPACT REPORT

CRL Section 33333.11(e)(8) requires a new neighborhood impact report if required by subdivision (m) of CRL Section 33353, i.e. if the redevelopment project contains low or moderate income housing. The neighborhood impact report must describe the impact of the project upon the residents of the Project Area and surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report must also include the following:

- (1) The number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of a redevelopment project.
- (2) The number of persons and families of low or moderate income expected to be displaced by the project.
- (3) The general location of housing to be rehabilitated, developed, or constructed pursuant to CRL Section 33413.
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, other than replacement housing.
- (5) The projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation.
- (6) A projected timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.

A. IMPACT ON RESIDENTS IN THE PROJECT AREA AND SURROUNDING AREAS

1. Relocation

The purposes of the proposed Amendments are to extend time and financial limits, extend the Agency's authority to utilize eminent domain as described in Section II, and to "streamline" eight of the constituent redevelopment plans to provide a process for future compatibility with any amendments to the City General Plan and Community Plans. The Project Area contains an estimated 2,215 occupied housing units. Given the relatively low levels of income and high percentage of families below the poverty level in the

Project Area (as described in Section II of this Report), it is assumed that a significant portion of these units are occupied by low or moderate income persons or families.

In the near-term the Agency does not anticipate causing the relocation of any persons or families. However, future land assembly efforts necessary for completion of the Regional Medical Center in the Jefferson area, or future land assembly for new development and residential infill development in the Chinatown area could involve the acquisition and displacement of existing housing. Any non-voluntary or voluntary displacement that occurs as a result of Agency redevelopment activities will be mitigated by adoption of relocation plans and relocation assistance including financial payments, advisory assistance, and replacement housing plan provisions of State law relating to Agency assisted developments. These provisions are further described in the Agency's Method or Plan for Relocation adopted for each of the Constituent Plans within the Project Area at the time of adoption and are incorporated herein by reference.

According to the Agency, from September 1998 through October 2003, the Agency has caused the removal of 108 units with 209 bedrooms from the low and moderate income housing market within the Project Area. This has included 32 units (53 bedrooms) in the Regional Medical Center Phase I/Fresno Street Widening Project in 1998; 68 units (134 bedrooms) in the Regional Medical Center Phase II Project from 2001 through 2004; and 8 units (22 bedrooms) in the Old Armenian Town Project in 2003. The replacement obligations include replacement by other low and moderate income units for the units removed from the low and moderate income market due to the moving and subsequent rehabilitation of one historic structure from the Regional Medical Center Phase II Project, and four historic structures that have been moved and stored from the Old Armenian Town Project. The Agency is in compliance with all applicable replacement housing obligations for the Project Area, per CRL requirements.

Going forward, any units removed or destroyed by the Agency will be replaced by comparable units as required by law. Residents will not be displaced until there are relocation units available for occupancy at costs comparable to those paid by the residents at the time of displacement. The Agency will assist displaced residents in finding housing that is decent, safe and sanitary and within their financial means. Relocation assistance will include advisory assistance, financial payments, and other provisions required by State law.

It is also possible that implementation of a redevelopment project may require the temporary or permanent displacement of non-residential occupants (i.e. businesses) within the Project Area. In each case, the Agency will use its best efforts to find relocation sites meeting the needs of the individual businesses displaced by Agency activity as required by law. In addition, the Agency will work with property owners to

provide every opportunity for them to participate in the redevelopment of their own properties in the Project Area. The Agency will additionally offer re-entry opportunities where feasible to existing business owners and tenants on a preferential basis.

2. Traffic Circulation

As described in Section IV.E, the existing street network is not user friendly and suffers from a number of network and local intersection deficiencies. Portions of the original grid system have been compromised by the closures of streets to create superblocks for development and by barriers due to the freeways and railroad rights of way. The street grid interfaces between the original downtown diagonal grid and the later north-south street grid also cause confusion to motorists and creates awkward and confusing intersections. Other issues include awkward transitions between one-way streets and two-way streets, atypical spacing between one-way street couplets, a weak hierarchy of streets, and an ineffective way-finding system.

It is anticipated that over the remaining life of the Project Area, streets may be realigned or abandoned, or new streets may be constructed to improve traffic circulation in the Project Area. In addition, as described in Section VI, the Agency may undertake a number of street improvements. Redevelopment activities undertaken in accordance to adopted City plans and guidelines will help alleviate some of these deficiencies.

3. Environmental Quality

The Initial Study prepared for the Amendments reviewed the potential impacts of the Amendments on air quality, water quality, biological resources, noise, historic resources and aesthetics. The Amendments are not expected to create impacts to environmental quality beyond the anticipated impacts that have been considered for development in the City's General Plan. As described in the following paragraphs, through redevelopment activities such as the removal or redevelopment of deteriorated, substandard and obsolete buildings, the development and reuse of existing vacant lots, and the installation of new and repair of existing public improvements to alleviate blight, many of the Agency's activities will improve the overall quality of the environment in the Project Area.

a. Air Quality

The City (and thus the Project Area) is located within the San Joaquin Valley Air Basin (SJVAB). In part due to the geography of the SJVAB, air movement is restricted and the environment is predisposed to poor air quality. The SJVAB is considered a non-

attainment area for selected pollutants and any new construction or development is likely to contribute pollutants into the atmosphere. There are a number of mitigation measures that have been included in the General Plan Master EIR (GP MEIR) to alleviate and reduce the impacts of growth and development on air quality. One of the goals of redevelopment of the Project Area is to encourage infill and brownfield development to help reduce the demand for Greenfield development and the resultant increase in vehicle miles traveled and air emissions. The Amendments will not result in any additional impacts beyond those identified in the GP MEIR. Development and redevelopment projects in the Project Area will be subject to the same requirements as any other development activity in the City. It is anticipated that through the implementation of the mitigation measures required by the City and described in the GP MEIR, potential impacts to air quality can be significantly reduced.

b. Biological Resources

The Project Area is highly urbanized and surrounded by dense urbanization. There are no wetlands in the Project Area and native habitat has been removed over time as the Project Area and surroundings developed. There are no sensitive habitats located within the Project Area. The GP MEIR determined that implementation of the General Plan would have a less-than-significant impact on biological resources. As the redevelopment activities will fall within the limits analyzed in the GP MEIR, there would be no significant impacts on biological resources by the Amendments.

c. Noise

As a highly urbanized area incorporating active rail lines and surrounded by freeways, the noise environment in the Project Area includes areas subject to high noise levels. Mitigation measures included in the GP MEIR were intended to address noise levels and assess their impacts on an individual bases for any proposed development projects. Because the Project Area is already highly developed, the infill development that is likely to occur is unlikely to increase noise levels above levels that would be considered significant according to the City's General Plan Noise Element and Noise Ordinance. The Amendments will not have an impact on railroad operations. Therefore, the Amendments will have no significant impact on the overall noise environment.

d. Cultural and Historic Resources

The City has plans and policies in place to protect cultural and historic resources, including a Historic Preservation Ordinance and a Resource Conservation Element in the General Plan. These plans and policies are designed to prevent the loss of historically significant resources, including structures, and archeological and

paleontological resources and sites. The majority of historical sites are in the core area of downtown within the Project Area. There are currently 3 proposed Historic Districts within the Project Area: the Saint John's Cathedral, Santa Fe Warehouse, and the L Street Historic Districts. The City and the Agency are also cooperatively working on completion of the research necessary to determine if portions of the Chinatown area would be eligible for inclusion in a Historic District. Properties proposed for redevelopment activities will be screened and examined in accordance with City policies. One of the Agency's goals is to reuse and rehabilitate structures that contribute to the historic fabric of the City. As the redevelopment activities will be subject to the mitigation measures outlined in the GP MEIR for the preservation of archeological and paleontological resources, significant negative impacts on historical and cultural resources by the Amendments are not anticipated.

e. Aesthetics

Existing conditions in the Project Area include vacant and/or deteriorated buildings, vacant lots with weeds and trash, unscreened outdoor storage, and areas with mixed uses (residential and industrial intermixed). There are no scenic vistas or adopted view corridors in the Project Area that could be affected by redevelopment activities. Redevelopment activities would help alleviate visual blighting influences through the rehabilitation of deteriorated buildings, and improvements to landscaping and streetscapes, and fencing and screening of outdoor storage.

4. Community Facilities and Services

a. Fire, Emergency and Police Protection

Fire and emergency services are provided by the Fresno Fire Department (FFD). The Project Area is served by three fire stations: Nos. 3, 4 and 8. Emergency medical services are provided by a private contractor. Police protection is provided by the Fresno Police Department (FPD). The Project Area is within two of the FPD's five patrol divisions: the Southwest Division and the Central Division. The California Highway Patrol (CHP) provides law enforcement services related to the State highway system. It is anticipated that there will be some growth in the population in the Project Area as infill development occurs and thus the demand for fire, emergency and police services may increase. However, it is also anticipated that the redevelopment of deteriorated and substandard buildings will improve the safety and overall environment of the Project Area including the rehabilitation or removal of buildings determined to be unsafe in accordance with the City's Unsafe Building Ordinance. The installation of improved street lighting and improvement in the overall streetscape along commercial corridors

and pedestrian-oriented streets in the downtown should increase pedestrian activity, improve safety and reduce crime.

b. Parks

Parks and recreational space are maintained by the Parks, After School, Recreation and Community Services (PARCS) Department of the City. The primary park and recreation spaces serving the Project Area are Eaton Plaza, Fulton Mall and Dickey Park/Playground. In addition, the Project Area is also served by the Fresno County Courthouse Park in the downtown core and school playground facilities maintained by the FUSD. One of the Agency's priorities is to provide additional parks and recreation space. Sites on vacant railroad rights of way west of the Santa Fe railroad right-of-way between Belmont Avenue and Divisadero Street have been identified for potential park space. Streetscape improvements proposed for the Project Area would also provide green corridors through the Project Area.

c. Public Utilities

The City's primary water source is treated and untreated ground water from the Fresno Sole Source Aquifer. The groundwater is supplemented with treated surface water and an active recharge system protects the aquifer. According to the Initial Study, the City's network of water supply wells and distribution mains is considered generally sufficient to accommodate existing development and future development in the Project Area. Although the major transmission lines are adequate, water service laterals may need to be replaced or upgraded to accommodate continued development in the Project Area. The Amendments, by providing the Agency with additional time and resources, would be able to provide assistance to the City with the installation of upgraded water facilities to encourage the removal of blight and redevelopment of properties in the Project Area.

The City is the regional provider of sewer services and wastewater treatment. The City collects and conveys wastewater to the Fresno-Clovis Regional Wastewater Treatment Facility, which has a capacity of 80 million gallons per day (MGD). Currently, the facility receives 68 MGD. The sewer system consists of a hierarchy of pipelines ranging in size from small diameter pipes (6 to 10 inches) that connect individual properties to large trunk or interceptor sewers (30 inches or more) that convey wastewater to the Treatment Facility. While the trunk sewer lines serving the Project Area are of adequate capacity, there are deficiencies within the sewer main system. There are sewer lines in the Project Area that date back to the 1880s and some sections of the sewer system would not be able to support planned General Plan land uses. Some of the industrial and older residential lots in the Project Area are not connected to the sewer system and utilize on-site septic systems. Modernization of the system has been completed on a piecemeal

approach. The Amendments, by given the Agency more time and resources, would be able to provide assistance to the City in the installation of upgraded wastewater treatment facilities to encourage the removal and blight and redevelopment of properties in the Project Area.

Flood and drainage control in the Fresno metropolitan area is provided by the Fresno Metropolitan Flood Control District (FMFCD), which manages a system of interconnected surface conveyances (e.g. streets and gutters), storm drain inlets and pipelines, detention and retention basins, pump stations and outfalls that collect and drain runoff from developed land areas. The system is designed to retain and filter as much runoff as possible, it discharges into irrigation canals, creeks and the San Joaquin River. The FMFCD has completed extensive improvements to the system and cleans inlets and pipelines to prevent obstructions. Drainage service for new development is funded through development fees paid upon approval. As with the other public infrastructure systems in the Project Area, the Amendments would allow the Agency additional time and resources that could be utilized to help improve existing drainage control by the installation of streets and gutters and curbs, and other system components to encourage redevelopment and the alleviation of blight in the Project Area.

Communication services (telephone, cable and internet) are provided by several companies to the Project Area. The majority of communication systems in the Project Area are underground, though there are also communication towers for wireless services within the Project Area as well. There are no known deficiencies in the communication systems within the Project Area. The Amendments are not expected to have any negative effects on communicational services.

5. School Population and Quality of Education

The Project Area is served by the Fresno Unified School District (FUSD) for grades K-12. The FUSD maintains a number of schools and administrative sites within the Project Area. The redevelopment of the Project Area could potentially increase school population due to increases in resident population because of construction of new residential units, and by non-residential development to a lesser degree. The FUSD has enacted developer's fees to offset the effects of residential and non-residential development related to school facilities. In addition, the FUSD, as an affected taxing entity, receives a portion of the tax increment generated in the Fulton and South Van Ness Industrial areas. Upon adoption of the Amendments, the FUSD will also receive a portion of the tax increment from the remaining Constituent Project Areas. In addition, alleviating the blighting conditions, especially in the portions of the Project Area that have experienced declining or stagnant property values, would encourage reinvestment

in the Project Area, which would cause property values to increase. Such increases would generate additional property tax revenue for schools, as they would receive a portion of the increased property tax revenues, when properties are sold or improvements to the property are made. The state legislature recognized the potential impact to schools by redevelopment funding and specifically provided a net increase in funding for school capital improvements under AB 1290. The Amendments are not expected to have negative impacts on school population or quality of education.

6. Property Taxes and Assessments

The proposed Amendments will not cause property taxes to increase. Regardless of whether a property is in the Project Area or not, the County Tax Assessor may increase property valuations for existing properties at a maximum rate of 2 percent per year, as allowed under Proposition 13. In general, property tax increases above the 2 percent allowed under Proposition 13 occur in two circumstances: 1) when a property is sold; and 2) when improvements are made. These provisions apply irrespective of whether the property is within the Project Area. During the life of each Constituent Plan, taxable valuation of property in and adjoining the Project Area should increase in value as development or redevelopment of properties occurs. New development within the Project Area will be assessed in the same manner as property outside of the Project Area: at market value, as determined by the County Tax Assessor. In cases where a property is sold to another party, the property will be reassessed at market value.

Another matter potentially affecting property taxes in the Project Area and surrounding areas would be the possibility of additional levies resulting from the formation of special assessment districts. The financing of the redevelopment program, as outlined in this Report, assumes no special assessments within the Project Area and there are no proposals for formation of special assessment districts at this time.

B. RELOCATION AND LOW AND MODERATE INCOME HOUSING

As described in Section VI, the Agency has two programs for increasing, improving and preserving the community's supply of affordable housing. The following is a discussion of the specific issues that are required to be address by Section 33333.11(e)(8) of the CRL Related to these efforts.

1. Housing Units to be Destroyed or Removed

The Agency may be involved in projects in the near-term while continuing to develop in the Chinatown Area and the continued expansion of the Regional Medical Center. In the event that any low and moderate housing units within the area are displaced, the Agency will provide replacement housing units and assistance to the displaced persons or families as required by State law, the CRL, and the Agency's policies and guidelines regarding relocation.

2. Projected Residential Displacement and Number and Location of Replacement Housing Units

As described in the preceding paragraph, the Agency does not anticipate the displacement of low or moderate income residents due to its redevelopment activities. However, if such displacement occurs, the Agency will identify such locations prior to such displacement. These locations are anticipated to be found within Project Area boundaries or in adjacent areas with sufficient vacant or underutilized properties.

3. Number and Location of Low and Moderate Income Housing Units Planned Other Than Replacement Housing

The Agency estimates that approximately 1,469 new low and moderate income housing units are planned during 2008-2013, as follows: 5 units in the Jefferson area, 200 units in the Fulton area, 767 in the Convention Center area, 325 units in the Central Business District area, and 172 in the Mariposa area.

4. Financing Method for Replacement Housing Requirements

The primary source of financing for any replacement housing units will be the Agency's Low and Moderate Income Housing Funds.

5. Timetable for the Provision of Relocation Housing

The Agency does not anticipate the displacement of residents, but if such displacement occurs, the Agency will develop a timetable as part of a Replacement Housing Plan(s) for the provisions of replacement units that ensure the units will be available within the time limits prescribed by law.

C. OTHER MATTERS AFFECTING THE PHYSICAL ENVIRONMENT

The proposed Amendments should have beneficial impacts on property owners and business owners in the Project Area. The implementation of Agency projects and programs consistent with the objectives of the General Plan and the Community Plans will bring about coordinated growth and development, and improvements in the public infrastructure system that will make the Project Area a more attractive place to live and work. Continued implementation of the Agency's projects and programs will also stimulate reinvestment by the private sector and further assist in the alleviation of blighting conditions. In addition, the Project Area will provide housing opportunities for current and future residents within the Project Area at a variety of income levels.

XI. DESCRIPTION OF BONDS SOLD BY THE AGENCY PRIOR TO THE ANTICIPATED ADOPTION DATE OF THE AMENDMENTS

Section 33333.11(e)(9) requires that a description of each bond sold by the Agency to finance or refinance the redevelopment project prior to six months before the date of the adoption of the proposed amendment be included in the preliminary report. The description must include the amount of the remaining principal for each bond sold, the annual payments, and the date that the bond will be paid in full.

The Agency currently has one outstanding bond issue for the Project Area: a 2003 Series A bond issue for the Mariposa Project Area for the Civic Center Square/Kern Street Improvements (2003 Mariposa Series A). The 2003 Mariposa Series A bonds were issued August 1, 2003 with a principal amount of \$5,005,000, a term of February 1, 2023 and with a variable interest rate. The 2007-2008 principal and interest payment was \$424,811. Estimated payments through the term of the bond (into fiscal year 2023-2024) are shown on Table 51.

Table 51: Estimated 2003 Mariposa Series A Bond Payments

	Fiscal Year	Est. Payment
1	2008-09	\$427,000
2	2009-10	\$427,000
3	2010-11	\$427,000
4	2011-12	\$430,000
5	2012-13	\$428,000
6	2013-14	\$430,000
7	2014-15	\$431,000
8	2015-16	\$431,000
9	2016-17	\$436,000
10	2017-18	\$433,000
11	2018-19	\$435,000
12	2019-20	\$436,000
13	2020-21	\$440,000
14	2021-22	\$437,000
15	2022-23	\$443,000
16	2023-24	\$442,000
	Total	\$6,933,000

Estimated payments rounded to the nearest thousand dollars.

APPENDICES

Appendix 1: References

Appendix 2: Field Survey Methodology

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Appendix 4: Single-Family Residential Property Sales Transaction Data

Appendix 5: Space Available for Lease

Appendix 6: Estimate of Average Annual Supermarket Sales

Appendix 1: References

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Appendix 2: Field Survey Methodology

GIS-based tools were used to organize and standardize data collection. The GIS tools were based on the City's street and parcel layers, projected at NAD83, California State Plane IV in US feet. Information from the City's GIS parcel layer was joined with data from the County Assessor's Office, as provided by Motroscan. This dataset included the following types of information: parcel number, owner name, Assessor's land use category, Assessor's property values for land and buildings, whether the parcels was part of a group of multiple parcels in the same ownership, and home ownership tax exemption status.

Field survey data was collected on 38 criteria. The data fell into four categories: Land Use, Overcrowding/Intense Use, Nuisances, and Design or Construction Defects. Each property was assigned an "Overall Condition" rating: Good, Deferred Maintenance, Deteriorated, Dilapidated, or N/A (properties with obscured views that could not be rated). These data fields were added to the database, along with additional fields for general comments. In addition, the team took pictures of select representative buildings and the photo numbers were recorded in a separate field. A sample of the first page of the data collection form is shown below. The second page of data is shown on the following page.

Parcels

City Data and Land Use | Deficiencies | Attributes

Fresno Redevelopment Study

APN _____ Owner _____

Address _____ Address2 _____

Legal Description _____

Lot Width _____ Lot Depth _____ Area _____

Surveyor _____ Survey Date _____

Land Use

Parking Lot Vacant Bldg Special Land Use _____

Vacant Lot Boarded Window Laundromat

Underutilized Site Boarded Entry

Incompatible Land Use Obstructed View

Parcel verification data

Surveyor ID, date

Special Land use categories includes neighborhood-serving retail and community facilities.

Parcels

City Data and Land Use | Deficiencies | Attributes

Indicators of Overcrowding

Trailers as Housing Garage Conversion Open Storage

Loading/Parking Conflicts Excess Vehicles Overcrowding

Nuisances

Litter Debris Dumping Graffiti Exposed Dirt Weeds

Abandoned Cars Homeless

Building Conditions

HazMat Sign Substandard Construction Obsolete Building UMB

Code Inspection Needed Opportunity Site Check for haz mats

Overall Rating:

Photo Number(s): Property for Sale

Comments:

ok

Signs that building or parcel is overused

Lack of maintenance by occupants and/or City

Surveyor recommends further examination

Ratings: Good, Deferred Maintenance, Deteriorated, Dilapidated, N/A

The "Comments" field was used to record unique information about a parcel, such as the name of a business, additional signs of serious deterioration or dilapidation. Responses here were limited to 50 characters.

The survey team is experienced in assessing properties. Three of the four surveyors have master's degrees in Urban Planning or Architecture, and the fourth has a bachelor's degree with a certificate in construction management. Work history in planning, design, or construction ranged from seven to thirty years. The field team surveyed in pairs, and each team had a team leader with experience surveying at least 10,000 properties. Prior to starting work, the team reviewed the ranking criteria, and synchronized their use of the evaluation criteria by practicing together in the field on several parcels.

Surveying was conducted either from within a vehicle or on foot while standing in the public right of way (sidewalk). Data was entered directly into the database through the GIS software ArcPad from ESRI. The computers used were convertible laptops from Fujitsu (model 2010T or 4020T) or a Panasonic Toughbook (C18).

One additional team member with a background in environmental engineering served as a driver, and advised surveyors in the industrial areas regarding the potential presence of hazardous materials.

Each evening, records from surveyed parcels were transferred to one computer for review and combining into a "daily" data set. The daily data set was reviewed for overlaps and missed parcels, and the daily progress files were archived and mapped. The file of remaining parcels to survey, as well as the combined file of completed parcels, was uploaded back onto the laptops in anticipation of the following day's work.

A limited number (86) of parcels in the Project Area were not surveyed. The parcels not surveyed were primarily residential parcels in situations where the survey team could not observe conditions on the parcel (due to high walls or shrubbery, or some other type of view obstruction). The 86 parcels not surveyed represent 3 percent of the parcels in the Project Area.

Appendix 3: Standard Quality Classifications for Office Space

The following office space definitions are taken from the *Office Development Handbook, Second Edition, 1998* published by the Urban Land Institute (ULI). The relative quality of an office building is weighed by taking a number of characteristics into account, including its age, location, building materials, building systems, amenities, lease rates and terms, occupancy, management, and tenant profile. Office space is generally divided into three classes:

Class A - Investment-grade buildings, generally the most desirable in their markets, offering an excellent location and first-rate design, building systems, amenities, and management. Class A buildings command the market's highest rents and attract creditworthy tenants. While some older properties can be renovated and repositioned as Class A properties, Class A space usually is limited to primarily new, highly competitive buildings. In some markets, Class A+ space is a distinct class, consisting generally of one-of-a-kind trophy or signature building that feature outstanding architecture, building materials, location, and management.

Class B - Buildings with good locations, management, and construction, and little functional obsolescence or deterioration. Class B space is found generally in well-located buildings of an earlier generation that have been maintained to a high standard.

Class C - Buildings that are substantially older than Class A and Class B buildings and that have not been modernized. Class C buildings are often functionally obsolete and often contain asbestos or other environmental hazards. While data for Class A and Class B office space are available in most markets, Class C space is seldom tracked with any accuracy. Definitions of Class C space, even within a single market, are not standard. Their low values make many Class C office buildings potential candidates for demolition or conversion to other uses.

**APPENDIX 4
SINGLE FAMILY RESIDENTIAL PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

<u>Address</u>	<u>Sale Date</u>	<u>Sale Amount</u>	<u>Building SF</u>	<u>Price per SF</u>	<u>Lot SF</u>	<u># Bed</u>	<u># Bath</u>	<u>Year Built</u>
1. 2336 E Thomas Ave	Jan 2002	\$64,000	1,104	\$57.97	7,500	2	1	1944
2. 2240 S Cherry Ave	Feb 2002	\$44,500	1,302	\$34.18	6,600	4	2	1950
3. 268 N St	Feb 2002	\$10,000	1,874	\$5.34	21,150	3	2	1970
4. 2236 S Cherry Ave	Apr 2002	\$17,500	1,286	\$13.61	2,125	4	1	1950
5. 2704 E Madison Ave	Apr 2002	\$64,500	912	\$70.72	6,250	2	1	1930
6. 2535 E Washington Ave	Apr 2002	\$56,500	1,122	\$50.36	5,825	3	1	1920
7. 2424 E Thomas Ave	Jun 2002	\$57,500	1,060	\$53.79	11,250	2	1	1937
8. 2809 E Mckenzie Ave	Jul 2002	\$63,000	965	\$65.28	5,825	2	1	1940
9. 337 E St	Jul 2002	\$20,000	902	\$29.11	5,550	2	1	1924
10. 2333 S Orinda St	Aug 2002	\$26,000	884	\$29.41	7,125	0	0	1927
11. 147 N U St	Aug 2002	\$40,000	853	\$46.89	3,750	3	1	1937
12. 305 E St	Sep 2002	\$60,000	1,440	\$41.49	9,300	3	1	1910
13. 2321 E Grant Ave	Sep 2002	\$84,500	1,125	\$75.11	6,750	2	1	1920
14. 237 N Effie St	Oct 2002	\$50,000	1,308	\$38.28	8,000	1	1	1912
15. 2389 S Grace St	Oct 2002	\$15,000	528	\$28.41	6,250	0	0	1920
16. 3055 E Church Ave	Oct 2002	\$18,000	905	\$16.57	6,600	0	0	1925
17. 2329 E Grant Ave	Nov 2002	\$15,000	884	\$16.97	6,250	2	1	1916
18. 3054 E Ventura St	Nov 2002	\$55,000	1,559	\$35.28	6,800	0	0	1920
19. 1511 Ventura St	Nov 2002	\$65,000	3,432	\$18.94	6,970	0	0	1930
20. 215 N Clark St	Dec 2002	\$75,000	1,326	\$56.56	5,625	3	1	1923
21. 2204 E Thomas Ave	Dec 2002	\$75,000	1,148	\$65.33	7,500	3	1	1925
22. 245 N Mariposa St	Dec 2002	\$52,500	1,380	\$59.78	4,625	3	1	1914
23. 145 Fulton St	Jan 2003	\$37,000	916	\$40.39	5,365	0	0	1921
24. 531 N Clark St	Jan 2003	\$41,000	610	\$67.21	3,750	1	1	1925
25. 2526 E Mckenzie Ave	Jan 2003	\$41,500	965	\$43.01	4,650	2	1	1918
26. 2828 E Washington Ave	Feb 2003	\$81,500	1,429	\$57.03	7,500	2	1	1925
27. 320 L St	Feb 2003	\$35,000	828	\$42.27	7,500	0	0	1915
28. 2417 E Thomas Ave	Mar 2003	\$51,000	764	\$66.75	7,500	2	1	1951
29. 2147 S Lily Ave	Mar 2003	\$36,000	680	\$43.18	7,500	2	1	1939
30. 2917 E Grant Ave	Mar 2003	\$131,800	1,507	\$87.26	6,250	3	2	1934
31. 2317 S Cherry Ave	Mar 2003	\$8,500	308	\$27.60	7,500	0	0	1923
32. 2636 E Mckenzie Ave	Apr 2003	\$72,500	912	\$79.50	4,650	3	1	1922
33. 422 N Clark St	Apr 2003	\$75,000	1,438	\$52.26	6,250	3	1	1910
34. 251 N Clark St	Apr 2003	\$72,500	1,098	\$66.04	6,250	3	1	1916
35. 317 E St	Apr 2003	\$30,000	640	\$46.88	5,550	2	1	1916
36. 244 N St	Jun 2003	\$58,000	972	\$59.67	5,950	3	1	1965
37. 1749 L St	Jun 2003	\$1,050,000	5,116	\$205.16	11,250	0	0	1920
38. 444 N Valeria St	Jun 2003	\$50,000	1,144	\$43.71	6,250	3	1	1912
39. 2803 E Grant Ave	Jul 2003	\$19,000	1,462	\$13.00	6,250	5	2	1917
40. 2903 E Washington Ave	Jul 2003	\$123,000	1,298	\$94.76	7,500	4	2	2003
41. 145 N Diana St	Jul 2003	\$81,000	990	\$81.82	7,500	2	1	1912
42. 2845 E Grant Ave	Jul 2003	\$80,000	1,445	\$55.36	6,250	3	1	1915
43. 2729 E Madison Ave	Jul 2003	\$56,000	1,431	\$39.13	6,250	3	1	1920
44. 378 N Fresno St	Aug 2003	\$50,000	1,062	\$47.08	4,720	0	1	1916
45. 2338 S East Ave	Sep 2003	\$79,000	704	\$112.22	6,250	0	0	1920

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<u>Address</u>	<u>Sale Date</u>	<u>Sale Amount</u>	<u>Building SF</u>	<u>Price per SF</u>	<u>Lot SF</u>	<u># Bed</u>	<u># Bath</u>	<u>Year Built</u>
46. 2313 S Grace St	Sep 2003	\$70,000	640	\$109.38	6,250	3	0	1935
47. 2315 S Orinda St	Oct 2003	\$57,000	468	\$121.79	6,250	0	0	1948
48. 122 N Effie St	Oct 2003	\$43,500	1,386	\$31.16	7,500	3	1	1912
49. 2711 E Grant Ave	Nov 2003	\$24,000	648	\$37.04	3,125	1	1	1939
50. 333 N St	Nov 2003	\$60,000	2,475	\$24.24	5,550	0	0	1920
51. 364 N St	Nov 2003	\$135,000	1,620	\$83.33	15,300	5	2	2003
52. 2602 E Madison Ave	Dec 2003	\$136,000	1,217	\$111.75	6,250	3	1	1925
53. 2311 E Thomas Ave	Dec 2003	\$78,500	705	\$110.88	5,100	2	1	1912
54. 344 N Clark St	Dec 2003	\$58,000	1,144	\$50.70	4,825	3	1	1910
55. 212 N U St	Dec 2003	\$85,000	1,168	\$72.77	6,250	3	1	1917
56. 482 N Thesta St	Jan 2004	\$59,000	1,280	\$45.74	6,750	0	0	1930
57. 337 N St	Jan 2004	\$45,000	883	\$50.96	5,550	0	0	1915
58. 372 N St	Feb 2004	\$132,000	1,620	\$81.48	6,450	5	2	2003
59. 1440 E Divisadero St	Mar 2004	\$110,000	1,899	\$57.93	7,800	0	0	1910
60. 2341 S Cherry Ave	Apr 2004	\$10,000	850	\$11.76	7,500	0	0	1915
61. 220 N U St	Apr 2004	\$107,500	816	\$131.74	6,250	2	1	1917
62. 2721 E Madison Ave	Apr 2004	\$92,500	1,374	\$67.32	6,250	4	1	1918
63. 3120 Tulare St	Apr 2004	\$310,000	6,928	\$44.75	35,719	0	0	
64. 2742 E Washington Ave	Apr 2004	\$107,000	1,030	\$103.88	7,740	3	1	1914
65. 488 N St	May 2004	\$185,000	1,400	\$131.86	18,000	4	2	1935
66. 2625 E Madison Ave	May 2004	\$195,000	1,684	\$115.80	6,250	3	1	1915
67. 2330 E White Ave	May 2004	\$124,000	810	\$153.09	7,500	2	1	1916
68. 520 N St	May 2004	\$270,000	1,582	\$170.67	7,380	3	2	1972
69. 2735 E Madison Ave	Jun 2004	\$92,000	712	\$129.21	6,250	1	1	1970
70. 2211 E White Ave	Jul 2004	\$87,000	882	\$98.64	7,600	2	1	1946
71. 444 N St	Jul 2004	\$45,000	775	\$58.06	18,000	2	1	1930
72. 223 N U St	Jul 2004	\$45,000	1,260	\$35.71	6,250	1	1	1962
73. 2723 E Nevada Ave	Aug 2004	\$160,000	1,380	\$115.94	10,000	3	2	1961
74. 2636 E Washington Ave	Aug 2004	\$135,000	1,089	\$123.29	4,810	2	1	1915
75. 1329 Los Angeles St	Aug 2004	\$95,000	864	\$109.95	7,500	2	1	1934
76. 340 N Valeria St	Aug 2004	\$95,000	1,388	\$69.44	7,500	5	2	1989
77. 2622 E Mckenzie Ave	Aug 2004	\$110,000	873	\$126.00	2,820	2	1	1918
78. 2139 S Lily Ave	Aug 2004	\$125,000	1,997	\$62.59	7,500	3	2	1953
79. 2224 E White Ave	Aug 2004	\$78,000	805	\$96.88	6,250	2	1	1916
80. 2532 E Belmont Ave	Sep 2004	\$120,500	1,219	\$98.85	4,250	0	0	1920
81. 2219 E White Ave	Sep 2004	\$96,000	1,020	\$94.12	7,500	2	1	1924
82. 451 N Howard Ave	Sep 2004	\$100,000	994	\$100.60	6,345	2	1	1924
83. 2225 E Grant Ave	Sep 2004	\$75,000	1,107	\$67.75	6,250	3	1	1912
84. 331 N Diana St	Sep 2004	\$75,000	1,062	\$70.62	3,125	2	1	1920
85. 205 F St	Oct 2004	\$200,500	806	\$248.76	7,500	2	1	1906
86. 2140 S Rose Ave	Oct 2004	\$95,500	800	\$119.38	5,365	3	1	1925
87. 3072 E Ventura St	Oct 2004	\$134,000	1,364	\$98.24	6,800	0	0	1920
88. 2236 E White Ave	Nov 2004	\$135,000	858	\$157.34	7,500	2	1	1920
89. 466 N Valeria St	Nov 2004	\$131,000	960	\$136.46	5,000	3	1	1910
90. 315 F St	Nov 2004	\$135,000	1,240	\$108.87	7,500	3	1	1910

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91. 2241 S Nicholas Ave	Nov 2004	\$40,000	1,428	\$28.05	5,625	4	2	
92. 119 N Diana St	Nov 2004	\$10,000	1,500	\$6.67	5,000	5	2	
93. 255 N Mariposa St	Dec 2004	\$117,000	1,016	\$115.16	6,250	3	1	1917
94. 2524 E Madison Ave	Dec 2004	\$165,000	1,393	\$118.45	6,250	3	1	1913
95. 2440 E White Ave	Jan 2005	\$115,000	854	\$130.09	7,500	0	0	1920
96. 285 N Diamond St	Jan 2005	\$103,000	1,392	\$117.10	6,125	3	1	1920
97. 2803 E Madison Ave	Jan 2005	\$199,000	1,713	\$116.17	6,250	4	2	1918
98. 2324 S Anna St	Jan 2005	\$15,000	816	\$18.38	5,000	0	0	1920
99. 534 N Clark St	Feb 2005	\$115,000	1,210	\$95.04	7,500	3	1	1922
100. 2324 S Grace St	Feb 2005	\$5,000	1,008	\$4.96	6,250	0	0	1915
101. 2509 E Madison Ave	Feb 2005	\$138,000	1,162	\$120.66	10,019	0	0	1970
102. 2220 E Thomas Ave	Feb 2005	\$155,000	624	\$248.40	11,250	1	1	1940
103. 412 N Effie St	Feb 2005	\$136,000	1,009	\$134.79	7,500	2	1	1939
104. 2035 E White Ave	Mar 2005	\$120,000	1,008	\$119.05	7,500	3	2	1920
105. 2628 E Madison Ave	Mar 2005	\$90,000	852	\$106.83	6,250	2	1	1917
106. 2530 E Thomas Ave	Mar 2005	\$188,000	940	\$200.00	7,500	2	1	1927
107. 2262 E Thomas Ave	Mar 2005	\$75,000	784	\$95.66	3,750	1	1	1929
108. 2845 E Madison Ave	Mar 2005	\$161,000	1,248	\$129.21	6,250	3	1	1925
109. 363 N Diana St	Mar 2005	\$142,000	1,112	\$127.70	4,625	4	2	
110. 1334 Monterey St	Mar 2005	\$33,001	912	\$36.19	2,300	3	1	1912
111. 2250 E Thomas Ave	Apr 2005	\$160,000	988	\$161.84	7,500	1	1	1906
112. 163 N U St	Apr 2005	\$180,000	1,012	\$177.87	5,000	1	1	1918
113. 474 N Thesta St	Apr 2005	\$104,000	1,017	\$102.26	6,750	2	1	1920
114. 2251 S Nicholas Ave	Apr 2005	\$125,000	896	\$139.20	7,500	2	1	1927
115. 2268 E Thomas Ave	Apr 2005	\$75,000	1,012	\$74.11	7,500	2	1	1915
116. 362 N Effie St	Apr 2005	\$165,000	1,272	\$129.72	4,625	3	1	1912
117. 2224 S Cherry Ave	Apr 2005	\$45,000	312	\$144.23	5,000	0	0	1922
118. 2234 S Cherry Ave	Apr 2005	\$45,000	480	\$93.75	1,750	1	1	1922
119. 370 N Fresno St	Apr 2005	\$125,000	871	\$143.51	5,400	0	0	1916
120. 2323 S Orinda St	Apr 2005	\$87,000	576	\$151.04	7,125	0	0	1948
121. 375 N Thesta St	Apr 2005	\$110,000	671	\$163.93	6,250	2	1	1916
122. 424 N Effie St	Apr 2005	\$130,000	612	\$212.42	2,500	2	1	1915
123. 246 N St	May 2005	\$143,000	768	\$186.20	6,885	3	1	1968
124. 335 N Clark St	May 2005	\$135,000	1,028	\$131.32	7,500	2	1	1915
125. 2837 E Grant Ave	May 2005	\$120,000	1,144	\$104.90	6,250	3	2	1915
126. 2247 S Nicholas Ave	May 2005	\$152,000	1,516	\$100.26	7,500	5	2	
127. 275 N Diamond St	Jun 2005	\$170,000	879	\$193.40	7,000	3	1	1930
128. 526 N Fresno St	Jun 2005	\$145,000	1,292	\$112.23	4,000	0	0	1920
129. 170 N Effie St	Jun 2005	\$140,000	1,092	\$128.21	4,375	2	1	1920
130. 333 N Diana St	Jun 2005	\$116,000	842	\$137.77	4,125	2	1	1920
131. 290 N Clark St	Jun 2005	\$180,000	1,428	\$126.04	5,000	3	1	1912
132. 2627 E Grant Ave	Jun 2005	\$132,500	1,348	\$98.29	6,250	2	1	1949
133. 2527 E Madison Ave	Jun 2005	\$225,000	2,049	\$109.81	6,250	3	1	1920
134. 2334 S Anna St	Jul 2005	\$30,000	624	\$48.08	7,500	0	0	1920
135. 2319 S Orinda St	Jul 2005	\$149,000	1,092	\$136.45	6,375	0	0	1901

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FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

<u>Address</u>	<u>Sale Date</u>	<u>Sale Amount</u>	<u>Building SF</u>	<u>Price per SF</u>	<u>Lot SF</u>	<u># Bed</u>	<u># Bath</u>	<u>Year Built</u>
136. 2222 E White Ave	Jul 2005	\$100,000	828	\$120.77	3,750	2	1	1916
137. 152 N Effie St	Jul 2006	\$65,500	1,250	\$52.40	6,250	2	1	1910
138. 2510 E Madison Ave	Jul 2005	\$145,000	1,384	\$108.30	6,250	2	1	1940
139. 2828 E Grant Ave	Aug 2005	\$178,000	1,119	\$159.07	6,875	3	1	1921
140. 1521 Ventura St	Aug 2006	\$60,000	1,000	\$60.00	2,760	0	0	1947
141. 2014 E White Ave	Aug 2005	\$182,000	1,080	\$168.52	7,500	3	1	1910
142. 236 N Effie St	Sep 2005	\$116,000	860	\$134.88	7,875	2	1	1915
143. 384 N Effie St	Sep 2005	\$154,000	786	\$196.93	4,625	2	1	1910
144. 229 E St	Sep 2005	\$93,000	504	\$184.68	3,750	2	1	1922
145. 2712 E Madison Ave	Sep 2005	\$200,000	1,440	\$138.89	6,250	4	2	1915
148. 2332 S Grace St	Oct 2006	\$35,000	644	\$54.35	6,250	1	1	1925
147. 275 N Diana St	Oct 2005	\$188,000	816	\$207.11	7,500	2	1	1910
148. 2353 S Taylor Ave	Oct 2005	\$145,000	840	\$172.62	7,300	0	0	1910
149. 315 N Thesia St	Oct 2006	\$259,000	1,166	\$234.18	7,500	3	1	1915
150. 245 N Clark St	Dec 2005	\$270,000	2,405	\$112.27	6,760	4	2	1915
151. 2051 E White Ave	Dec 2005	\$236,000	1,752	\$134.70	7,500	3	1	1917
152. 165 N Effie St	Jan 2006	\$108,000	504	\$214.29	7,300	1	1	1910
153. 2260 S Nicholas Ave	Feb 2006	\$35,000	1,171	\$29.89	7,500	4	2	1922
154. 2305 S Grace St	Mar 2006	\$34,000	302	\$86.73	3,125	0	0	1950
155. 2024 E Grant Ave	Mar 2006	\$179,000	878	\$203.87	3,125	2	1	1922
156. 2341 E Grant Ave	Mar 2006	\$200,000	1,852	\$107.99	4,995	2	1	1920
157. 2328 E White Ave	Apr 2006	\$97,500	648	\$150.46	7,500	1	1	1926
158. 2220 E White Ave	Apr 2006	\$100,000	648	\$154.32	2,500	1	1	1916
159. 460 N Howard Ave	Apr 2006	\$141,000	1,179	\$119.59	5,875	2	1	1924
160. 2327 S Grace St	Apr 2006	\$89,000	856	\$103.97	6,250	2	1	1916
161. 346 N Effie St	Apr 2006	\$150,000	1,008	\$148.81	4,625	2	1	1912
162. 350 N St	Apr 2006	\$189,000	1,473	\$128.73	25,925	4	2	1985
163. 1322 N St	May 2006	\$220,000	1,020	\$215.69	5,700	0	0	1910
164. 304 M St	May 2006	\$185,000	1,081	\$171.14	5,550	0	0	1970
165. 458 N Thesia St	May 2006	\$214,000	772	\$277.20	6,750	3	1	1923
166. 2630 E Grant Ave	May 2006	\$175,000	831	\$210.89	3,125	2	1	1922
167. 2815 E Washington Ave	May 2006	\$150,000	839	\$178.78	5,000	2	1	1920
168. 2329 S Grace St	May 2006	\$175,000	1,034	\$169.25	6,250	0	0	1925
169. 242 N Clark St	Jun 2006	\$145,000	924	\$156.93	3,125	2	1	1920
170. 264 N Mariposa St	Jun 2006	\$165,000	939	\$175.72	7,500	3	1	1930
171. 2245 San Joaquin St	Jul 2006	\$160,000	888	\$180.18	5,400	3	2	1900
172. 1843 S Sarah St	Jul 2006	\$185,000	825	\$224.24	6,900	0	0	1919
173. 2635 E Grant Ave	Aug 2006	\$220,000	1,418	\$155.15	6,250	2	1	1949
174. 466 N Howard Ave	Aug 2006	\$225,000	1,408	\$159.80	6,750	2	1	1924
175. 2226 E Thomas Ave	Aug 2006	\$187,000	1,378	\$136.70	7,500	3	1	1925
176. 425 N Valeria St	Aug 2006	\$207,000	1,233	\$167.88	6,250	1	1	1912
177. 163 N Effie St	Aug 2006	\$315,000	3,051	\$103.24	7,500	3	1	1910
178. 2307 S Grace St	Sep 2006	\$100,000	487	\$205.34	3,125	0	0	1950
179. 545 F St	Sep 2006	\$36,000	684	\$52.63	7,500	0	0	1920
180. 271 N Mariposa St	Sep 2006	\$215,000	1,212	\$177.39	9,375	3	1	1924

**APPENDIX 4
SINGLE FAMILY RESIDENTIAL PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

<u>Address</u>	<u>Sale Date</u>	<u>Sale Amount</u>	<u>Building SF</u>	<u>Price per SF</u>	<u>Lot SF</u>	<u># Bed</u>	<u># Bath</u>	<u>Year Built</u>
181. 2340 S Grace St	Sep 2006	\$75,000	810	\$91.91	12,500	0	0	1930
182. 2232 E Thomas Ave	Oct 2006	\$100,000	698	\$167.22	7,500	1	1	1924
183. 378 N Mariposa St	Oct 2006	\$150,000	929	\$161.46	3,780	2	1	1928
184. 2838 E McKenzie Ave	Oct 2006	\$75,000	2,426	\$30.92	10,000	4	2	1922
185. 2808 E Washington Ave	Nov 2006	\$165,000	986	\$167.34	7,740	2	1	1936
186. 405 N Clark St	Nov 2006	\$240,000	1,824	\$131.58	7,055	4	2	1915
187. 281 N Diana St	Nov 2006	\$250,000	1,400	\$178.57	7,500	3	1	1935
188. 2224 E Grant Ave	Dec 2006	\$140,000	864	\$162.04	6,250	2	1	1950
189. 1213 N St	Dec 2006	\$475,000	1,707	\$278.27	10,484	3	2	1989
190. 1943 E McKenzie Ave	Dec 2006	\$196,000	1,494	\$131.19	3,400	3	2	
191. 2144 S Lily Ave	Dec 2006	\$186,000	1,432	\$136.17	4,625	3	2	
192. 550 F St	Mar 2007	\$25,000	732	\$34.15	5,550	0	0	1917
193. 2324 E Grant Ave	Mar 2007	\$231,000	1,620	\$142.60	6,370	5	2	1920
194. 273 N U St	Mar 2007	\$215,000	1,120	\$191.96	5,000	2	1	1915
195. 2130 S Rose Ave	Jul 2007	\$154,000	992	\$155.24	7,900	3	2	1973
196. 385 N Effie St	Jul 2007	\$111,600	1,040	\$107.60	6,250	2	1	1923
197. 135 F St	Jul 2007	\$100,000	612	\$163.40	3,750	2	1	1922
198. 2524 E Grant Ave	Aug 2007	\$85,000	621	\$133.53	3,750	2	1	1922
199. 2522 E Grant Ave	Aug 2007	\$105,000	938	\$111.94	3,750	3	1	1920
200. 1835 S Sarah St	Aug 2007	\$127,000	894	\$142.08	7,600	0	0	1915
201. 2168 S Nicholas Ave	Aug 2007	\$150,000	1,030	\$145.63	10,800	3	1	1919
202. 2382 S East Ave	Aug 2007	\$88,000	1,435	\$61.30	9,375	0	0	1942
203. 2749 E Grant Ave	Sep 2007	\$165,000	936	\$176.28	6,250	2	1	1959
204. 422 N St	Oct 2007	\$180,000	1,707	\$105.45	9,000	3	1	1950
205. 3038 E Ventura St	Oct 2007	\$144,500	1,086	\$133.06	6,850	0	0	1920
206. 360 N St	Oct 2007	\$160,650	1,174	\$136.84	7,500	3	2	1950
207. 309 M St	Oct 2007	\$85,000	834	\$101.92	3,750	0	0	1910
208. 137 N Effie St	Nov 2007	\$90,000	1,066	\$84.23	3,125	3	1	1918
209. 416 N St	Nov 2007	\$173,000	1,440	\$120.14	4,750	3	2	1928
210. 384 N Fresno St	Nov 2007	\$95,500	1,086	\$87.94	4,800	0	0	1918
211. 353 N Clark St	Nov 2007	\$100,000	1,462	\$68.40	6,250	2	1	1923
212. 2624 E Madison Ave	Nov 2007	\$100,100	1,144	\$87.50	4,625	3	1	1928
213. 372 N Clark St	Dec 2007	\$106,250	989	\$107.43	4,625	2	1	1910
214. 2258 S Nicholas Ave	Dec 2007	\$230,000	498	\$461.85	5,625	1	1	1922

APPENDIX 5A
OFFICE SPACE FOR LEASE - PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS A SPACE									
1.	1001 Fulton St	16,000	16,000		\$1.50	1	A	Modified Gross	Planned Construction, Mixed Use site in Downtown Cultural Arts District; util. and janitor not incl.; 61 acre lot.
2.	2440 Tulare St	24,231	97,400		\$1.75	4	A	Modified Gross	Civic Center Square. Secured parking \$65 per stall. Designer enhanced finishes in common areas. Internal access and key-card security system.
3.	2444 Main St	6,352	44,000		\$1.70	2	A	Modified Gross	Civic Center Square. Secure underground parking.
4.	2721 Ventura St	36,268	36,268	1625	\$1.40	2	A	NNN	Current complete renovation and conversion to office bldg.; \$40/sf tenant improvement allowance; 63 parking stalls on site, additional stall avail. on adjacent property.
5.	2414 Tulare St	2,527	10,000		\$1.40		A	NNN	Sublease for office or retail use; ground floor of parking garage 6; 1,000/sf Parking stalls available above.
6.	2699 Fresno St	60,000	69,500	2009	\$2.10	4	A	NNN	Planned medical office building w/ high speed elev. And state-of-the-art electrical and HVAC systems.
7.	2499 Ventura St	15,788	15,788		\$1.85	4	A	NNN	Proposed new construction; limited surface parking and adjacent parking garage.
CLASS B SPACE									
8.	2126 Merced St	1,803	7,500	1970	\$1.55	1	B+	Modified Gross	Tenant pays utilities; paid parking north of subject bldg.
9.	2125 Kern St	21,203	26,875		\$1.55	3	B+	Modified Gross	Adaptive reuse of the historic Hotel Virginia
10.	2000 Fresno St	6,500	21,060	1975	\$1.29		B+	Modified Gross	Former bank branch adjacent to parking lot, 6 parking spaces on site.
11.	1260 M St	10,540	22,250	1975	\$1.25	2	B	Modified Gross	.52 Acre Lot, located in Enterprise & Empowerment zones, close to Jail and courthouse; utilities and janitor not included; 20 on-site gated parking spaces.
12.	754 P St	3,000	3,000		\$1.25		B	Modified Gross	Building is divisible; permit parking in large city lot behind property
13.	747 R St	60,500	60,500	1931	\$1.25	2	B	Modified Gross	13,800/sf basement; landlord willing to fully convert and improve facility into functional, usable office, medical, or retail space.
14.	1350 O St	1,800	19,127		\$1.25	2	B	Modified Gross	Recent interior improvements. "Fresno Professional Plaza."
15.	1260 Fulton Mall	9,675	19,350		\$1.50	2	B	Modified Gross	Renovated in 2007.
16.	1315 Van Ness Ave	6,349	26,961	1975	\$1.45	2	B	Modified Gross	Secured parking one block from site; highly visible signage, close to courthouse.
17.	766 P St	2,750	2,750		\$1.50		B+	Full Service	Renovated historic building. Permit parking available in large city lot behind property.
18.	1221 Van Ness St	21,615	42,310	1967	\$1.40	6	B	Full Service	Bank of the West office building.

APPENDIX 5A
OFFICE SPACE FOR LEASE - PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
19	2000 Tulare	3,712	39,009	1980	\$1.40	2	B-	Full Service	Abundant parking, Civic Center Square campus.
20	1010 Van Ness	5,000	5,000	1968	\$0.85	1	B+	Standard Gross	Real estate taxes, building insurance, ext. maintenance, and gardening included; 21,250 sq ft lot
21	2100 Tulare St	20,900	80,000	1918	\$1.10	6	B-	Full Service	City Historic Landmark Building in need of upgrade, 25 underground parking stalls and 31 extra stalls available at lot 1 block away. Listed for sale at \$5 million.
CLASS C SPACE									
22	1703 Fulton St	6,000	7,500	1948	\$0.90	1	C	Modified Gross	Adjacent to Tokyo Gardens Restaurant in Downtown Cultural Arts District; Masonry const.; 60 parking stalls
23	1759 Fulton St	17,286	17,286	1955		1	C	Other	On-Site parking lot; owner will renovate bldg to necessary standards to obtain tenant

APPENDIX B8
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS A SPACE									
1.	Woodward Centre 7108 N. Fresno St	3,130	60,000	1992	\$2.35	4	A	FS	Parking ratio is 4 per 1,000
2.	30 River Park Place West	2,968	70,800	2001	\$2.25	4	A	FS	Includes 3 private offices, large and small conference rooms, copy/supply room, kitchen/break room, open work area and reception area. Top floor of building with
3.	6710 N. West Avenue	4,205	10,400	2001	\$1.05	1	A	MG	Two autes available; parking at 5.7 per 1,000 sf; lot size is 1.02 acres
4.	7191 N. Ingram	11,447	11,447	2005	\$1.00	1	A	MG	Space includes reception area, 4,500 SF of private offices, conference room, breakroom, copy/storage room and four interior restrooms. Located on 1.12 acres; ample parking.
5.	8485 N. Fresno St	7,600	7,600	2007	\$2.00	1	A	NNN	New commercial bank building.
6.	1005 L. Alluvial	4,890	4,890	2005	\$1.05	1	A	NNN	Building in a 4-building office complex; parking ratio at 4.46; close proximity to 41 and 166 Freeways.
7.	7010 N. Chestnut	20,000	20,000	2007	\$1.85	1	A	NNN	Office complex w/ 9 buildings; easy access to 99, 41 and 166 Freeways, and St. Agnes, Clovis and Fresno Community Hospital.
8.	7121 N. Whitney	10,300	10,300	2008	\$1.60	1	A	NNN	Planned new construction on 0.79-acre lot.
9.	Palm Bluffs Corporate Center 7575 N. Palm Ave.	8,161	22,560	2006	\$1.80	2	A	NNN	Generous tenant improvement allowances; on 0.75-acre lot.
10.	7575 N. Cedar Ave.	11,312	11,312	2006	\$1.75	1	A	NNN	Strategically located near both financial and medical districts in northeast Fresno. Landlord to provide finished "cold" shell including utilities to the building, HVAC units mounted in place (no ductwork), finished concrete floor, and fire sprinklers. Parking at 5.06/1,000 SF. On 2.05-acre lot.
11.	5 Park Place	5,411	64,441		\$1.90	2	A	NNN	Suite has 8 private offices, cubicles, open work station, 2 conference rooms, reception area, break room, and interior restrooms; adjacent to Freeway 41.
12.	The Tower at the Village at River Park	70,018	114,000	2008	\$2.00	4	A	NNN	Newly constructed w/ state-of-the-art electrical and HVAC energy management systems, onsite Concierge service; parking at 4 stalls per 1,000 sf; LI allowance at \$40 psf.
13.	8335 N. Fresno St	21,400	41,555		\$1.75	2	A	NNN	State-of-the-art electrical and HVAC energy management systems; high-tech conference facility available.
14.	North Pointe Center 6715 N. Palm Ave.	1,528	41,723	1992	\$1.05	2	A	NNN	Suite includes 7 private offices, large conference room, break room and work areas; includes 2 secured underground parking stalls. Offered at "discounted rate."
15.	9499 N. Fort Washington Rd Riverview Shopping Center	1,284	7,800	2005	\$1.64	1	A	NNN	Street frontage executive office space; CAM expenses approx \$0.50 psf/month.

**APPENDIX B8
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS B SPACE									
16	4969 E. McKinley Ave	10,379	24,010	1982	\$1.45	2	B	FS	Includes reception area, 8 private offices, storage room, break room and an open work area. On 1.71-acre site.
17	1320 E. Shaw Ave	14,658	55,630	1974	\$1.55	1	B	FS	Includes private offices and open work areas. parking ratio at 6.0
18	1312 E. Shaw Ave.	2,231	5,040	1974	\$1.60		B	FS	Eight private offices, storage room and interior hallway w/ sink and cabinets to common area restroom. Building for sale at \$932,400 (\$185 psf).
19	1318 and 1322 E. Shaw Ave.	14,337		1974	\$1.60		B	FS	Six separate suites in 2 buildings in the same complex.
20	1320 E. Shaw Ave	11,277		1974	\$1.55		B	FS	Three separate suites for lease.
21	2517 W. Shaw Ave.	2,168	7,202	1979	\$1.10	1	B	FS	2 suites, both of which include reception areas and private offices; one suite also has a conference room and work area, parking ratio of 4 per 1,000 sf
22	Gateway Plaza 1901 Gateway Blvd	5,902	82,062		\$1.00	1	B	MG	Five separate suites available; furnished conference room with mini-kitchen available for meetings; on-site covered parking; adjacent to Fresno Airport and Core Business District.
23	7676 N. Palm Ave	10,048	20,000	2003	\$1.88	1	B	MG	Includes 19 private offices, small conference room, large breakroom/conference area, interior restrooms, large bullpen area, storage rooms and 2 reception areas. Located on .72-acre property.
24	1284 W. Shaw Ave.	1,487	4,300	1976	\$1.85	1	B	MG	Parking ratio at 4 per 1,000 SF; located on 0.33-acre lot.
25	Winery Yale Center 2212 N. Winery Ave.	5,118	21,168	1983	\$1.10	1	B	MG	Signage available; easy access to Freeways 180 and 168, parking at 4/1,000 SF on 1.69-acre lot.
26	Herridon West Office Park 6760 N. West St.	7,554	9,759	1988	\$1.50	1	B	MG	Parking at 4.2 per 1,000 SF; located on 0.77-acre lot.
27	550 Alluvial Ave	7,221	13,760	2008	\$1.85	1	B	MG	Suite is in shell condition; located on 1.26 acre lot.
28	575 E. Alluvial Ave.	976	17,000	1991	\$1.85	1	B	MG	Includes reception area, 3 private offices, break/storage area, and interior common area restrooms, located on 1.26 acres.
29	7075 N. Howard	2,058	5,876	1990	\$1.85	1	B	MG	Close proximity to Kaiser Hospital and Riverpark Shopping Center.
30	1310 E. Shaw Ave.	5,923	5,923	1974	\$1.55	1	B	NNH	Freestanding building, for sale at \$1.33 million (\$225 psf)

APPENDIX BB
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
31.	1314 E. Shaw Ave.	6,021	6,021	1974	\$1.55	1	B	NNN	Freestanding building; for sale at \$1.2 million (\$200 psf).
32.	111 E. Shaw Ave	1,011	16,710	1982	\$1.21	2	B	NNN	Second floor suite; close proximity to Freeway 41 and Blackstone Ave.
33.	5775 E. Kings Canyon Road	5,406	5,406		\$1.25	1	B	NNN	Freestanding bank branch; near Fancher Creek Development and new Freeway 180 connecting Sunnyside
34.	1330 E. Shaw Ave., Building B	8,013	8,013	1974	\$1.45	1	B	NNN	Also for sale - asking \$1.72 million (\$215 psf)
35.	1330 E. Shaw Ave., Building C	5,054	5,054	1974	\$1.45	1	B	NNN	Also for sale - asking \$1.01 million (\$200 psf)
36.	Herdon Professional Center 1396 W. Herdon Ave.	3,490	11,525	1992	\$1.60	1	B	NNN	Built-in reception area and break room; copy room w/ cabinets, larger conference room, interior executive restroom and executive-size office, on 1.87-acre lot.
37.	7502 N. Colonial	5,200	5,200		\$1.65	1	B	NNN	

APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Bit	Lot SF	Comments
FULL SERVICE GROSS								
1.	3883 E. Calwa Ave.	4,500	30,000	\$0.45	FS	1979	83,218	
2.	3208-3240 N. Marks Ave.	5,000	54,658	\$0.45	FS	1978	179,903	
3.	2777 S. Elm Ave.	5,000	5,000	\$0.58	FS	2006		Plenty of parking and paved/enclosed yard.
4.	5278 N. Comella Ave	8,390	8,390	\$0.50	FS	1993	22,216	Located in the Shaw-Gates Industrial Park.
MODIFIED/INDUSTRIAL GROSS								
5.	1415 N. Maple Ave.	1,750	31,400	\$0.37	IG		76,666	Two units available.
6.	1310 N. Crystal, Suite 201	2,860	15,500	\$0.61	IG	1989	31,000	Fenced parking.
7.	5740 E. Dayton Ave.	5,000	5,000	\$0.60	IG	1983	17,500	Close to Fresno/Yosemite Int'l Airport.
8.	5411 S. Nikita Ave.	5,000	5,000	\$0.55	IG		18,820	Fenced and paved yard. Three Crowns Industrial Park.
9.	5390 S. Nikita Ave.	5,000	5,000	\$0.55	IG		24,067	Fenced and paved yard. Three Crowns Industrial Park.
10.	4199 E. Jefferson Ave.	5,000	5,000	\$0.60	IG		30,928	Fenced and paved yard.
11.	4254 N. Selland Ave.	7,321	9,785	\$0.60	IG	2002	23,058	
12.	3160 N. Miami	7,375	7,375	\$0.55	IG			New construction.
13.	1330 N. Hulbert	7,600	13,500	\$0.43	IG	1986	27,000	Fenced parking.
14.	5404 S. Nikita Ave.	10,000	10,000	\$0.55	IG			Three Crowns Industrial Park
15.	2620 California Ave.	10,950	10,950	\$0.37	IG			Fenced and paved yard.
16.	4317-4343 N. Golden State Blvd.	12,725	80,000	\$0.83	IG			Five suites available. Interstate Business Park.
17.	2310 N. Larkin Ave.	16,000	16,000	\$0.57	IG	2006	52,660	Room for future 10,000 SF expansion.
18.	5364 S. Villa Ave.	20,000	20,000	\$0.39	IG		49,850	Located in the Three Crowns Industrial Park. Fenced and paved yard.
19.	2010 E. Tyler	21,546	21,546	\$0.16	IG		23,000	
20.	2249 S. Cedar	35,508	47,000	\$0.23	IG		174,240	Concrete block construction.
21.	2888 N. Sunnyside Ave.	1,500	16,200	\$0.50	MG			Hodges Business Complex

**APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Bit	Lot Sf	Comments
22	4610-4630 W. Jacquelyn Ave.	2,275	29,664	\$0.85	MG	1988	80,586	Shaw-Gates Business Park
23	4688 W. Jennifer Ave.	3,500	3,500	\$0.65	MG	1992	8,712	
24	4593 N. Bendel	3,500	8,000	\$0.50	MG			
25	4672 W. Jennifer #103-104	3,500	3,500	\$0.65	MG	1992		
26	4753 W. Jennifer Ave.	3,627	3,627	\$0.60	MG	2006	23,087	
27	4249 W. Shaw Ave.	3,960	11,950	\$1.15	MG	1974	29,185	
28	5367 N. Golden State Blvd.	5,000	10,142	\$0.50	MG	1998		
29	1502, 1514 N. Pine	8,000	8,000	\$0.58	MG	2001	37,897	Two spaces available for sublease.
30	1401 N. Clovis Ave.	8,680	324,340	\$0.50	MG	1979	97,574	Lamona Business Park; 5 spaces available for sublease.
31	4741 W. Jennifer Ave.	8,958	8,958	\$0.70	MG	2006	23,522	
32	4393 N. Golden State	24,000	136,000	\$0.50	Mnet		217,600	Unimproved yard/parking area.
TRIPLE NET								
33	86 & 90 E. Escalon Ave.	1,848	60,932	\$0.60	NNN			Near River Park.
34	5096 N. Blythe Ave.	2,000	20,500	\$1.00	NNN	2005	67,518	Masonry/stucco bldg. w/ abundant parking
35	5746 E. Shields Ave., #104	3,904	3,904	\$0.55	NNN	1981	11,761	
36	2788 N. Larkin Ave.	4,800	12,000	\$0.60	NNN			Near Fresno Yosemite Int'l Airport.
37	5497 E. Olive Ave.	4,800	4,800	\$0.60	NNN	1996	89,734	
38	2732 S. Fourth St	5,000	5,000	\$0.67	NNN	1985	41,818	
39	2621 N. Miami Ave.	5,000	10,000	\$0.55	NNN	2007	24,000	Located in the Miami Business Park.
40	2996 N. Miami Ave.	5,000	10,000	\$0.55	NNN	2007	24,000	
41	472 S. Teilmann Ave.	5,100	5,100	\$0.49	NNN		21,780	Fenced yard area.
42	4747 W. Jacquelyn	5,200	5,200	\$0.75	NNN			
43	E. North Ave & S. Orange Ave. Bldg 1	5,552	5,552	\$0.55	NNN	2007	135,036	North Pointe Business Park - bldg 1
44	3620 S. Bagley Ave.	6,000	6,000	\$0.75	NNN		40,511	

APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Bil	Lot SF	Comments
45	4019 E Dakota	7,400	7,400	\$0.50	NNN	1973	24,829	
46	4319 N. Brawley	7,936	7,936	\$0.50	NNN	2008	21,760	
47	4002 N. Ann Ave.	9,955	9,955	\$0.50	NNN	2007	21,760	Near Fresno Air Terminal.
48	4647 E. Weathermaker	10,000	10,000	\$0.50	NNN	2007	27,990	
49	2540 S. Sarah	10,000	10,000	\$0.40	NNN	1990	47,480	
50	4645 N. Bendel Ave.	11,500	11,500	\$0.50	NNN		67,518	Fenced and paved yard.
51	4379 N. Brawley Ave.	12,133	12,133	\$0.42	NNN		43,660	Operating expenses at \$0.05
52	3410 W. Ashlan Ave	12,540	41,340	\$0.75	NNN	1989	115,434	
53	4539 E. Annadale Ave.	13,672	13,672	\$0.45	NNN	1974	87,082	Metal industrial building; rail access; dock high loading
54	5850 E. Shields Ave.	14,000	14,000	\$0.75	NNN	2007	40,000	Located in the Miami Business Park.
55	4450 N. Brawley Ave.	14,040	65,000	\$0.35	NNN			
56	2108 E. McKinley	14,300	14,300	\$0.55	NNN	1950	31,263	
57	313 Fallbrook Ave.	16,120	16,120	\$0.70	NNN	1989	52,272	
58	E. North Ave & S. Orange Ave. Bldg 15	17,000	17,000	\$0.50	NNN			
59	4065 W. Shaw Ave.	20,038	42,200	\$0.42	NNN	1978		
60	3275 E. Central Ave.	20,160	20,160	\$0.25	NNN		136,343	
61	36 E. South Ave.	21,725	21,725	\$0.55	NNN	1990	131,551	Fenced yard area.
62	186 N. West Ave	25,660	51,720	\$0.50	NNN	2005		In Roeding Business Park
63	2634 S. Cherry Ave.	27,661	27,661	\$0.32	NNN	1960	45,302	
64	2929 E. Dorothy Ave.	31,250	31,250	\$0.57	NNN			
65	4381 N. Brawley Ave.	32,000	32,000	\$0.40	NNN		304,920	Operating expenses at \$0.06
66	720 E. North & 2904-2998 S. Angus St.	32,323	265,085	\$0.40	NNN	1989		Three concrete fill-up bldgs.
67	E. North Ave & S. Orange Ave. Bldg 20	32,727	32,727	\$0.55	NNN	2008		
68	E. North Ave & S. Orange Ave. Bldg 22	32,727	32,727	\$0.55	NNN	2008		
69	E. North Ave & S. Orange Ave. Bldg 15	36,300	36,300	\$0.50	NNN			

APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERCER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Blt	Lot SF	Comments
70.	2955 S. Orange Ave.	36,731	78,686	\$0.50	NNN	2006		
71.	5940 E. Shields Ave.	40,000	40,000	\$0.50	NNN	2005		NNN expenses at \$0.10; building has common area dock loading.
72.	3722 S. Willow Ave.	46,000	72,000	\$0.31	NNN			

Appendix 6: Estimate of Average Annual Supermarket Sales

Data is for publicly-traded supermarkets serving California.

Kroger Co (Ralphs & Food 4 Less)

Food store sales (w/o fuel)(in millions)	\$57,712
No. of supermarkets	2,468
Estimated sales per supermarket (in millions)	\$23.4

From Kroger Co. Annual 10K; period ending Feb. 3, 2007

New Albertsons Inc. (incl. Albertsons)

Sales (supermarket business of Albertson's)	\$18,139
No. of supermarkets	1,072
Estimated sales per supermarket (in millions)	\$16.9

From New Albertsons Inc. Annual 10K; period ending Feb. 22, 2007
Albertsons acquired by SuperValu in Dec. 2005. Albertsons includes Acme Markets, Bristol Farms, Jewel-Osco, Shaw's Supermarkets, and Star Markets.

Safeway Inc. (Safeway, Vons and Pavilions)

Sales (in millions)	\$40,185
No. of supermarkets	1,761
Estimated sales per supermarket (in millions)	\$22.8

From Safeway Inc. Annual 10K; period ending Dec. 30, 2006

Weighted average annual sales per supermarket \$21.9 million

Appendix C

Bracketed NOP/IS Comment Letters



ARNOLD SCITWARZENEGGER
GOVERNOR

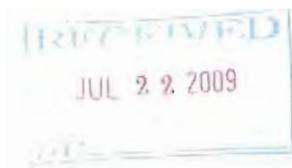
STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

July 16, 2009



To: Reviewing Agencies

Re: Fresno Merger No. 1 Redevelopment Plan Amendments
SCH# 2008081011

1-1

Attached for your review and comment is the Notice of Preparation (NOP) for the Fresno Merger No. 1 Redevelopment Plan Amendments draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

David Martin
City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008081011
Project Title Fresno Merger No. 1 Redevelopment Plan Amendments
Lead Agency Fresno Redevelopment Agency, City of

Type NOP Notice of Preparation
Description NOTE: Subsequent

The project consists of proposed amendments to nine redevelop plans within the Redevelopment Agency of the City of Fresno (Agency) Merger No. 1 Redevelopment Project. The Merger No. 1 Redevelopment Project encompasses separate redevelopment project areas (Constituent Project Areas) described below, each of which has its own redevelopment plan (Constituent Redevelopment Plans). The nine constituent Project Areas are: Mariposa, Central Business District, Convention Center, Jefferson, Chinatown Expanded, West Fresno I, West Fresno II, Fulton, and South Van Ness Industrial.

Lead Agency Contact

Name David Martin
Agency City of Fresno Redevelopment Agency
Phone (559) 621-7630 **Fax**
email
Address 2344 Tulare, Suite 200
City Fresno **State** CA **Zip** 93721

Project Location

County Fresno
City Fresno
Region
Cross Streets Numerous
Lat / Long
Parcel No. Multiple
Township 14S **Range** 20E **Section** 2-4, 14 **Base** MDB&M

Proximity to:

Highways SR 99, SR 41, SR 180
Airports Chandler Executive
Railways BNSF, SPRR
Waterways No
Schools Multiple
Land Use There are multiple designations.

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Aesthetic/Visual, Biological Resources; Forest Land/Fire Hazard; Minerals; Septic System; Growth Inducing; Cumulative Effects

Reviewing Agencies Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; Department of Fish and Game, Region 4; Native American Heritage Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 6; Integrated Waste Management Board; Regional Water Quality Control Bd., Region 5 (Fresno); Resources Agency

Date Received 07/16/2009 **Start of Review** 07/16/2009 **End of Review** 08/17/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

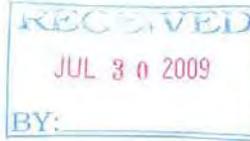
<input type="checkbox"/> Resources Agency Nadell Gayou	<input type="checkbox"/> Fish & Game Region 2 Jeff Drongesen	<input type="checkbox"/> Public Utilities Commission Leo Wong	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> Regional Water Quality Control Board (RWQCB)
<input checked="" type="checkbox"/> Dept. of Boating & Waterways Mike Soelc	<input type="checkbox"/> Fish & Game Region 3 Robert Floerke	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs	<input type="checkbox"/> Fish & Game Region 4 Julie Vance	<input type="checkbox"/> State Lands Commission Marina Brand	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Dept. of Conservation Rebecca Salazar	<input type="checkbox"/> Habitat Conservation Program Gabrina Gatchel	<input type="checkbox"/> Business, Trans & Housing	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> California Energy Commission Dale Edwards	<input type="checkbox"/> Fish & Game Region 6 Habitat Conservation Program Gabrina Gatchel	<input type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 5 Central Valley Region (5)
<input type="checkbox"/> Cal Fire Allen Robertson	<input type="checkbox"/> Fish & Game Region 6 I/M Inyo/Mono, Habitat Conservation Program George Isaac	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input checked="" type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input checked="" type="checkbox"/> Office of Historic Preservation Wayne Donaldson	<input type="checkbox"/> Dept. of Fish & Game M Marine Region	<input type="checkbox"/> California Highway Patrol Scott Loetscher	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input checked="" type="checkbox"/> Dept. of Parks & Recreation Environmental Stewardship Section	<input type="checkbox"/> Other Departments	<input type="checkbox"/> Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input checked="" type="checkbox"/> Central Valley Flood Protection Board Jon Yego	<input type="checkbox"/> Food & Agriculture Steve Shaffer	<input type="checkbox"/> Dept. of Transportation Projects Douglas Ito	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam	<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input checked="" type="checkbox"/> Dept. of Water Resources Resources Agency Nadell Gayou	<input type="checkbox"/> Dept. of General Services Environmental Services Section	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Dept. of Public Health Bridgette Binning	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Fish and Game	<input type="checkbox"/> Delta Protection Commission Linda Flack	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	<input type="checkbox"/> Caltrans, District 12 Chris Herre	<input type="checkbox"/> Other
<input type="checkbox"/> Depart. of Fish & Game Scott Flint	<input type="checkbox"/> Office of Emergency Services Dennis Castrillo	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	<input type="checkbox"/> Caltrans, District 12 Chris Herre	
<input type="checkbox"/> Environmental Services Division	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator	<input type="checkbox"/> Caltrans, District 12 Chris Herre	
<input type="checkbox"/> Fish & Game Region 1 Donald Koch	<input checked="" type="checkbox"/> Native American Heritage Comm. Debbie Treadway		<input type="checkbox"/> Caltrans, District 12 Chris Herre	
<input type="checkbox"/> Fish & Game Region 1E Laurie Harnsberger			<input type="checkbox"/> Caltrans, District 12 Chris Herre	

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE
 P.O. BOX 12616
 FRESNO, CA 93778-2616
 PHONE (559) 488-4347
 FAX (559) 488-4088
 TTY (559) 488-4066



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 Be energy efficient!*



July 27, 2009

2131-IGR/CEQA
 6- FRE-GENERAL
 NOTICE OF PREPARATION
 FRESNO MERGER NO. 1
 REDEVELOPMENT PLAN
 SCH NO. 2008081011

Mr. David Martin
 City of Fresno Redevelopment Agency
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

Dear Mr. Martin:

We have reviewed the Notice of Preparation (NOP) for the Fresno Merger No. 1 Redevelopment Plan Environmental Impact Report (EIR). Caltrans has the following comments:

2-1 | The NOP indicates that future projects within the merged redevelopment area will be subject to various policies and goals of the Central Area Community Plan. However, there is no mention of the 2025 General Plan Master EIR's requirement that projects producing 100 or more peak-hour trips will be required to prepare a traffic analysis to evaluate the project's contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to the project site (Mitigation Measure B-4). We would like it clarified in the EIR that this mitigation measure will also be imposed on projects within the merged redevelopment area.

Sincerely,

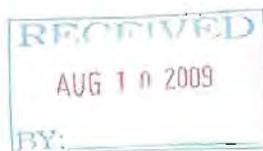
JOANNE STRIEBICH
 Office of Transportation Planning
 District 6

C: Mr. Scott Mozier, City of Fresno Public Works
 Mr. Bryan Jones, City of Fresno Public Works
 Mr. Tony Boren, Council of Fresno County Governments



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 550.30
 170.292
 310. "RR", "II₁", "FF"



August 4, 2009

Mr. David Martin
 Redevelopment Agency of the City of Fresno
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

Dear Mr. Martin,

FMFCD Comments on Notice of Preparation of a Draft Subsequent Environmental Impact Report - Fresno Merger No. 1 Redevelopment Plan Amendments Project Central Area Merged, Proposed Fulton Redevelopment Project Area and Proposed South Van Ness Industrial Redevelopment Project Area Drainage Areas "RR", "II₁" and "FF"

The District has completed review of the provided materials for the Fresno Merger No. 1 and have the following comments to offer in addition to comments previously provided:

The subject EIR lies within the District's Drainage Areas "RR", "II₁" and "FF". Permanent storm drainage service is not available in some of the subject project areas. According to City facility maps available to the District, temporary drainage service is available through existing City facilities until permanent storm drainage service is available.

There are future Master Plan facilities proposed within the project area. A sketch of the streets containing the future facilities is attached for your reference.

3-1 | The District requires that the storm drainage patterns conform to the District's Master Plan. The District will need to review and approve all improvement plans prior to implementation for any proposed construction of curb and gutter, street plans, construction plans for storm drainage facilities and grading plans for conformance to the Master Plan within the project area.

3-2 | Drainage fee credit for storm drainage facilities to be constructed are applied to development entitlements within Drainage Areas "RR" and "II₁" which are obligated under ordinance to pay a "full cost" drainage fee, but which are also subject to an increased Benefit Assessment on their annual property tax bill for completion of the Drainage Areas "RR" and "II₁" system.

K:\Environmental impact report letters\top-cir\0124(t1)(rr)(mmm)-ltr.doc

Mr. David Martin
August 4, 2009
Page 2

The following revision to wording for Section VIII, HYDROLOGY AND WATER QUALITY:

3-3

subsection "a" wording change from ... disturb greater than 1 acre... "should be revised to"... disturb at least one acre (or less than one acre if part of a larger common plan of development or sale).

subsection "c" wording change from "... disturbance over 1 acre." Should be revised to "... disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale).

subsection "e" wording change from "...disturbance over 1 acre and ..." should be revised to the same wording as subsection "c" above.

For Section XVI, UTILITIES AND SERVICE SYSTEMS

3-4

subsection "c" wording change from "... disturbance over 1 acre." Should be revised to "... disturbance of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale).

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you should have any questions or comments, please contact the District at (559) 456-3292.

Sincerely,



Mitzi M. Molina
Engineer II

MMM/lrl

Enclosure



August 10, 2009

David Martin
 City of Fresno
 Redevelopment Agency of the City of Fresno
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

Subject: Comments on Proposed Project

Project: NOP for the Fresno Merger No. 1 Redevelopment Plan Amendments Project

District Reference No: 20090445

Dear Mr. Martin:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) for the Fresno Merger No. 1 Redevelopment Plan Amendments project. The proposed project includes the nine Constituent Project Areas: Mariposa, Central Business District, Convention Center, Jefferson, Chinatown Expanded, West Fresno I, West Fresno II, Fulton, and South Van Ness Industrial areas in Fresno, CA. The District offers the following comments:

District Comments

4-1

- A. Mixed use development offers opportunities to benefit air quality by creating walkable, pedestrian oriented communities and favorable jobs to housing ratios. However, locating residential and industrial development in close proximity to one another can expose sensitive receptors to localized concentrations of air toxics. The District recommends that the proposed project be evaluated to determine the potential health impacts of TACs (Toxic Air Contaminants) to the near-by receptors. Available guidance for assessing potential health risk impacts from proposed land use projects include *Air Quality and Land Use Handbook: a Community Health*

Seyed Sadredin
 Executive Director/Air Pollution Control Officer

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

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

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

4-1
cont.

Perspective (California Air Resources Board, 2005) and Health Risk Assessments for Proposed Land Use Projects (California Air Pollution Control Officers Association, 2009), These references can be downloaded using the following links:

http://www.capcoa.org/rokdownloads/HRA/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf

<http://www.capcoa.org/>

B. The District recommends that any preliminary and final environmental review of the project's potential impact on air quality include the following:

4-2

1. A description of the regulatory environment and existing air quality conditions impacting the area. Information on the District's attainment status can be found on the District's web page at <http://valleyair.org/aqinfo/attainment.htm>.

4-3

2. A description of the project, including a discussion of existing and post-project emissions. The discussion should include a quantification of existing and post project emissions from short-term activities, such as construction, and from long-term activities, such as operational, and area wide emission sources. Emissions from permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. The project should be considered to have a significant adverse impact on air quality if emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM₁₀).

4-4

3. For construction emissions of PM₁₀, It is important to note that Regulation VIII may not be sufficient to reduce fugitive dust emissions to a level that is less than significant (GAMAQI 6.5.1). Quantification is recommended for larger scale projects.

4-5

4. A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality. The District recommends all electronic input files used to characterize the project's impact on air quality be provided to the District with the environmental review document. These files will give the District the opportunity to validate the assumptions used to characterize the project's impacts on air quality.

5. The District recommends that all assumptions made during modeling (i.e. trucks shall not idle longer than 15 minutes on-site) that reduce project related impacts be determined to be feasible mitigation. In order to conclude that the modeling assumptions constitute feasible mitigation, measures reducing emissions must be fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines §15126.4, subd.(a)(2)).

4-6 | 6. A discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment.

4-7 | 7. At this time there are no established significance thresholds for greenhouse gas emissions, however, it is suggested that the environmental document include a discussion of greenhouse gas emissions generated by the project and the effect they will have, if any, on global climate change.

4-8 | 8. If the project is located near residential/ sensitive receptors, the proposed project should be evaluated to determine the health impact of TACs (Toxic Air Contaminants) to the near-by receptors. Prior to conducting a Health Risk Assessment (HRA), an applicant may perform a prioritization on all sources of emissions to determine if it is necessary to conduct an HRA. A prioritization is a screening tool used to identify projects that may have significant health impacts. If the project has a prioritization score of 10 or more, the project has the potential to exceed the District's significance threshold for health impacts of 10 in a million. Information on conducting a prioritization can be obtained from the District by contacting Mr. Leland Villalvazo, Supervising Air Quality Specialist, at hramodeler@valleyair.org.

9. If the prioritization score indicates that toxic air contaminants (TACs) are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. Please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, at hramodeler@valleyair.org. Additional information on TACs can be found on the District's Air Quality Modeling page:

http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

4-9 | 10. A discussion of whether the project would create nuisance odors.

4-10 | 11. A discussion of all existing District regulations that apply to the project.

12. A discussion of all feasible measures that will reduce air quality impacts.

4-11 | C. The proposed project would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:

- 50 dwelling units
- 2,000 square feet of commercial space;
- 25,000 square feet of light industrial space;

4-11
cont.

- 100,000 square feet of heavy industrial space;
 - 20,000 square feet of medical office space;
 - 39,000 square feet of general office space; or
 - 9,000 square feet of educational space; or
 - 10,000 square feet of government space; or
 - 20,000 square feet of recreational space; or
 - 9,000 square feet of space not identified above.
- D. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Emission reductions achieved through compliance with District Rule 9510 should be quantified in the EIR.
- E. One way to comply with District Rule 9510 is to reduce construction exhaust emissions of NO_x and PM₁₀ by using a Tier II, or cleaner, fleet. Tier II fleets use construction equipment powered by engines that meet Tier II or cleaner emission standards as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. The District recommends incorporating, as a condition of project approval, a requirement that off-road construction equipment used on site achieve fleet average emissions equal to or less than the Tier II emissions standard of 4.8 NO_x g/hp-hr. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.
- F. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. The District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees, 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>.
- G. Another feasible mitigation option is a Voluntary Emission Reduction Agreement (VERA) between the project proponent and the District. A VERA can be used to mitigate the project's NO_x, PM₁₀ and ROG impact on air quality to below the District's significance thresholds. The District supports the use of emission reduction agreements as feasible mitigation of project related cumulative impacts on air quality (CEQA Guidelines section 15130, subd. (a)(3)). The District recommends that demonstration of having successfully entered into an emission reduction agreement with the District, before the issuance of the first building permit, be made a condition of project approval if such is needed for approval of the project. District staff is available to meet with project proponents to discuss VERAs for specific projects. For more information, or questions concerning this topic, please call Ms. Patia Siang, Senior Air Quality Specialist, at (559) 230-6000.

- 4-12 | H. This project may require District permits. Prior to construction, the project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the project proponent may contact the District's Small Business Assistance Office at (559) 230-5888.
- 4-13 | I. The District recommends that a copy of the District's comments be provided to the project proponent.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Kanya Ellington, M.S., at (559) 230-5934 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permit Services


for Arnaud Marjollet
Permit Services Manager

DW:ke

cc: File



Kerri L. Donis
Deputy Chief/Fire Marshal

Division of Fire Prevention and Investigative Services
911 H Street
Fresno, California 93721-2510
(559) 621-4181 FAX (559) 498-4323
www.fresno.gov



08/17/2009

DAVID MARTIN
REDEVELOPMENT AGENCY OF THE CITY OF FRESNO
2344 TULARE STREET, SUITE 200
FRESNO, CA 93721

Dear Mr. Martin:

SUBJECT: Response to Fresno Merger No. 1 Redevelopment Plan Amendments
Project

After reviewing the project, a discrepancy has come to our attention regarding the responsibility of the City of Fresno Fire Department.

10-1

Please refer to page 47 of the redevelopment project where it states "City of Fresno Fire Department regulations require that for large projects, a fire inspector be on site until completion of the shell structure. (City of Fresno Redevelopment Agency 1998)"

We do not supply an inspector to stay on site until the completion of a shell structure. If we see that there is a potential problem or concern, we would require a fire watch at the location. The required fire watch personnel would be provided and paid for by the developer.

If I can be of further assistance please call me at (559) 621-4144.

Sincerely,

Leslie Forshey, Senior Fire Prevention Inspector

From: David Martin [David.Martin@fresno.gov]
Sent: Tuesday, August 11, 2009 1:05 PM
To: Jerome M. Behrens; Steve Esselman
Subject: FW: Merger I EIR NOP

New comments from Jeanette Jurkovich...

From: jjurkovich [mailto:jjurk@pacbell.net]
Sent: Monday, August 10, 2009 4:11 PM
To: David Martin
Subject: Merger I EIR NOP

Hi, David:

5-1 | It has been awhile. Help me remember. When did the Merger I NOP go to the Historic Preservation Commission? I don't see it on any of my agendas. This NOP should be considered by the Historic Preservation Commission (HPC). The Merger I area contains a very significant concentration of Fresno's historic resources.

5-2 | I personally sent in comments to you on 8/22/08 (one year ago) for the prior RDA's attempt to adopt an MND for this same project. I asked you then to be included on the list of people to be notified of the Notice of Preparation. Yet, my notification from RDA went to Heritage Fresno at an address that was not on my comment letter. I'm not a member of Heritage Fresno and haven't been a member of Heritage Fresno. I'm not sure why you would send my notice to them. Especially when my address is clear on my comment letter sent to you. Now I see your initial study is more than 200 pages long.

Although I've told RDA many times, and I assume RDA would understand, my notifications should go to my home--not the home of someone else. I do not know why you expect me to fulfill my comment obligations under a shortened timeline.

5-3 | I will be preparing comments but you need to contact Karana at the City and see if the HPC can hear this issue prior to your comment deadline. If not, you should extend your comment deadline.

I don't know if you didn't tell Karana, or Karana didn't place the item on her agenda. Doesn't matter to me. Either way, staff error from one agency or the other has kept this from the Historic Preservation Commission's hearing. Let me know if the deadline is extended, please, and as soon as possible.

5-4 | As you know from my letter of a year ago--RDA has not implemented the historic resource mitigation measures that were adopted over 10 years ago in the first Merger I EIR. And, the mitigation for the Armenian Town project, despite court decisions and appellate court decisions, have yet to be implemented--during RDA's good budget times or bad budget times. These mitigation requirements occurred after the adopted requirements in the original Merger I EIR. Any supplemental EIR should consider the impacts associated with unimplemented mitigation measures of 10 years ago as well as the Armenian Town project.

5-5 | If my comment letter responding to your 200+ initial study isn't completed by the deadline, please include this email in the administrative record. Jeanette Jurkovich

August 13, 2009

Mr. David Martin
Project Manager, City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

RE: Comments responding to the Notice of Preparation of Subsequent EIR for the Fresno Merger No. 1 Redevelopment Plan Amendment Project.

Dear Mr. Martin:

Thank you for the opportunity to comment on the above referenced Notice of Preparation (NOP). The proposed project seeks to extend the Redevelopment Agency's plan areas contained within the Merger I area. This Merger I Redevelopment Plan Area was formed in 1999 to merge 9 redevelopment plan areas and extend the pending deadlines for RDA's establishment of loans, advances and indebtedness. The prior 1999 Merger I EIR was certified to provide the necessary plan extensions. The Subsequent Environmental Impact Report (EIR) is proposed to tier from the 1998 Program Merger I EIR. The redevelopment areas contained within the Merger I Area and their original establishment dates as an RDA area are:

- Mariposa (est. 1969);
- Central Business District (est, 1963);
- Convention Center (est.1982);
- Jefferson (est. 1984);
- Chinatown (1965);
- Chinatown Expanded (est.1986);
- West Fresno I (est.1963);
- West Fresno II (est. 1963);
- South Van Ness Industrial (est. 1998); and,
- Fulton Lowell (est.1998).

Although none of these redevelopment plan areas are scheduled to expire prior to 2012 (and some not until 2022 or beyond) the RDA's eminent domain limits in these areas have either expired or will expire in 2010. Therefore, this new Merger 1 action also proposes to add 12 more years to the RDA's eminent domain powers and again extend the maturities for most of the plan areas.¹ The proposed expiration dates for the plan areas will be reset as follows:

- Mariposa (2022);
- Central Business (2022);
- Convention Center (2035);
- Jefferson (2037);
- Chinatown (2022);
- Chinatown Expanded (2028);
- West Fresno I (2022);

- West Fresno II (2022);
- Fulton(2029); and,
- South Van Ness Industrial ((2029)

The RDA has determined its blight removal activities have not yet been accomplished. Unfortunately, many of the buildings RDA considers to be blighted, obsolete or dilapidated are historic resources or resources eligible for the local, state or national historic registers. ⁱⁱ

6-1 At this juncture it is important to consider the effectiveness of past redevelopment efforts and how future redevelopment efforts will address the redevelopment of these identified and potential historic resources over the next 13 – 26 years. Blighting conditions in historic resources can be corrected by repair, stabilization and mothballing—or those blighting conditions can be removed by demolition. RDA activities that would accomplish the 3 former actions would improve historic resources, avoid impacts, serve as signs of revitalization and fulfill the intent and purposes of Fresno’s historic preservation ordinance, CLG requirements, and adopted land use policies. The latter action, demolition, is inconsistent with Fresno’s adopted public policies and would result in significant irreversible impacts to the environment as well as the potential for the creation of more vacant lots (a blighting influence).

The specific course of action that RDA intends to employ in the future as it carries out its purposes with respect to Fresno’s historic resources must be fully articulated in the DEIR so members of the public and decision makers can participate in the environmental review process in a meaningful manner.

6-2 RDA is also encouraged to adapt its redevelopment plans’ goals and implementation measures to provide improved consistency with the State and City’s adopted public policies and laws that are directed toward the preservation of historic resources. The Subsequent EIR should also identify and propose new feasible mitigation measures that will lessen and avoid impacts to historic resources. These mitigation measures should include methods that will arrest the conditions of demolition by neglect and institute proactive mothballing procedures, preservation marketing efforts, etc. to protect the historic resources as revitalization planning continues.

6-3 Over the last 2 decades, many cities across this state and nation have utilized their historic resources to aid in the successful revitalization of their downtowns. Historic resources, and the manner in which historic resources are treated in a community have an uncanny way of silently communicating a perception to outsiders about whether a particular city is a “learning city,” “talent-seeking city,” “education-seeking city,” “sustainability-seeking city,” “quality-of-life city,” “innovative-city,” “creative city,” “entrepreneurial city,” “sense-scape city,” etc. The message is communicated silently—but clearly. Historic preservation has proved to be an effective revitalization tool in downtowns in part because recognition of the value of these scarce resources to the outsider has emerged. Historic preservation activities also have provided measurable economic benefits related to improved job creation and increased household incomes.

I. Subsequent review of the Merger I Program EIR may *not* be examined according to CEQA Guidelines 15162.

6-4 The Merger I 10145 EIR was adopted as a *Program* EIR (Please refer to page 1-5 Part II of the Merger I 10124 Program EIR.) RDA's use of this Program EIR with later activities must therefore be re-examined according to CEQA Guidelines 15168(c)-(d). (The Initial Study incorrectly states the review is being conducted according to CEQA Guidelines 15162.) CEQA Guidelines 15162 pertains to *Project* level EIRs and is not applicable to the case at hand.) The premise relied upon during RDA's preparation of this NOP must therefore be reviewed by RDA and corrected. Recirculation of the NOP may be required.ⁱⁱⁱ

6-5 This circumstance likely frustrates the undersigned more than it does the RDA staff who are compensated to comply with CEQA. Approximately one year ago the RDA staff attempted to review this very same project with a draft Mitigated Negative Declaration (MND). The adoption of a MND for this project was clearly an action that was not permitted under the provisions of CEQA-- yet it was attempted by the RDA. Another year lapsed before the RDA circulated this NOP. A pattern and practice of non-compliance with the provisions with CEQA (even the most basic CEQA provisions) is perhaps apparent. And, if this is the case, these types of actions only cause delays that consume valuable tax dollars. The beneficiary of these delays is not the taxpayer, not the business owner, not the property owner and not the City's revitalization efforts.

II. Historic resources and historic preservation in the Merger I Area

6-6 RDA's Merger I project encompasses an area of approximately 1,900 acres in Fresno's downtown core. The area contains the greatest concentration of the City of Fresno's surviving historic resources. These historic resources are important elements of our community. Therefore, in addition to Fresno's Historic Preservation Ordinance, a body of public policy has been adopted (after public hearings) for the purpose of preserving and protecting Fresno's historic resources.^{iv} The decisions that have resulted from the public processes must be respected by decision makers and the taxpayer-compensated management and staff of RDA.

In addition to Fresno's adopted local preservation laws and policies, the California Environmental Quality Act (CEQA) was enacted to provide a healthful and intellectually stimulating environment for its citizens. Historic resources are considered to be part of the state's environment. Any discretionary project that may cause a substantial adverse change in the significance of a historic resource is considered to be a project that may have a significant impact on the environment.

To fulfill the intent of Fresno's adopted laws and public policies--and to fulfill the historic preservation purposes of CEQA—it seems imperative in going forward that, at a minimum, RDA be willing to proactively: a) *identify* the historic resource(s) contained in this area: and, b) *recognize* the activities that would result in significant impact(s) to historic resources in the project area. This will allow the RDA, citizens and elected officials to more effectively identify the historic resource mitigation measures and

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cont.,

alternatives that will work to accomplish preservation of our historic resources and a revitalized downtown core.

III. Identification of historic resources

Historic Resource Surveys are effective tools used to identify historic resources for lead agencies and members of the community. The identification process is the preliminary first step toward achieving historic preservation. Beyond their identification purposes, historic resource surveys provide the lead agency with a number of additional benefits. According to the State Office of Historic Preservation:

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Historic resource surveys are performed to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. Surveys provide information needed to make informed planning decisions, prioritize preservation goals and objectives, develop and implement land use policies, perform environmental reviews pursuant to CEQA, develop adaptive reuse and heritage tourism initiatives, educate the public and increase the understanding of and appreciation for the built environment as a tangible reminder of the community's history. Surveys also assist in the identification of resources worthy of designation in a local register of historic resources, the California Register of Historical Resources, or the National Register of Historic Places, as well as properties potentially eligible for federal tax benefits or other state and local preservation incentives." (Emphasis Added.)

Fresno's adopted public policy recognizes the need for a systematic survey of historic resources. (Refer to GP Policy G-10-d; G-11-a; G-11-g). The GP noted the lack of historic resources created an obstacle to the ability to recognize historic resources and understand the environmental impacts that could occur. As a result, environmental reviews for downtown projects have been needlessly drawn out; potential federal and state incentives have been overlooked; and developers have not known what to expect when they prepare and propose their projects. And, otherwise avoidable litigation costs have been high. This circumstance works to increase uncertainty in the planning process and harms Fresno's revitalization efforts as well as its preservation efforts.

Los Angeles is currently preparing to conduct a comprehensive city-wide historic resource survey. The monumental task has been in the works for several years. Volunteer efforts, technological adaptations and grant funds from Getty have assisted the planning how the survey process will be undertaken. Obviously, the city of LA has learned it has a need to shift its prior consumptive image. A series of 3 videos describing the Los Angeles historic resource effort and how the city intends to capitalize on the resulting information about its history, culture and architecture is available on the internet.

IV. Proposed elimination of mitigation measure requiring the historic resource survey of the South Van Ness Industrial Area.

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Page 24 of the NOP indicates (in spite of Fresno's adopted GP policies and the land use planning benefits afforded through the historic resource survey process) that the RDA is proposing to *eliminate* mitigation measure 3.15-5 from the 1998 Merger I 10124 EIR. This mitigation measure requires a historic resource survey to be conducted for the South Van Ness Industrial Area. The South Van Ness Industrial Area was one of the areas added as a redevelopment area at the time the Merger I 10124 EIR was certified. This mitigation measure 3.15-5 was adopted because it was recognized the Roosevelt Community Plan had already required the South Van Ness Industrial Area be surveyed for historic resources.

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The South Van Ness Industrial Area is rich in history and contains not only portions of Fresno's early Armenian town but also Fresno's early industrial roots. The area contains many of the same elements the city of Portland recognized in one of its underperforming areas of its downtown. The founding of the Pearl District and the revitalization of that area was the successful result. (The outcome, of course, first required identification of the historic resources and the completion of comprehensive planning efforts.)

The RDA's survey of this South Van Ness Industrial area was to begin by January of 2000. Since this mitigation measure was determined to be feasible and adopted, the RDA has not prioritized the implementation of this mitigation measure. Meanwhile, RDA's net annual tax increment revenues have increased from \$ 4.6 million at FYE 6/99 to \$21.1 million at FYE 6/30/08. In spite of this \$16.5 million (39.8% per annum) increase in annual tax increment revenues-- the RDA has not implemented this required *feasible* mitigation measure that served to enable approval of the adoption of the South Van Ness Industrial area.^v While the recent economic downturn experienced since 2008 was unanticipated, so too was the economic boom experienced during 2002-2007.

RDA's decision to not implement this mitigation measure (during the good economic times of the last decade) has eliminated the mitigation measure's intended purpose of proactively identifying historic resources in the area and incorporating those results in long-term land use planning policies. Members of the public rightfully assume increased revenues generated from the adoption of RDA plan areas will be expended to *implement* the mitigation measures that helped create this increase in RDA revenues.

One of the purposes of CEQA is to demonstrate to the members of the public that the environment is being protected. Another of CEQA's purposes is to allow voters to understand the economic and environmental values of their elected and appointed officials. *The RDA's proposed removal of this mitigation measure speaks volumes.*

The eventual dismissal of this mitigation measure was not the intent represented to the public when hearings were held to consider adoption of this area into the Merger I plan. Members of the public have every right to expect the RDA will fulfill its mitigation obligations. At no time during the last 9+ years, *even when reminded*, has the RDA indicated the mitigation measure it now wishes to eliminate was infeasible. Even the draft MND released in 8/08, did not propose the elimination of this mitigation measure. Nor at anytime since the draft MND was released has the RDA appeared at HPC hearings to

describe the circumstances that have hindered its future implementation of this mitigation measure.

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A. The RDA should review the Third Appellate Court’s decision in *Heritage Fresno v RDA*. An adopted mitigation measure cannot be eliminated without first showing the mitigation measure is infeasible. In 1999 RDA could not foresee the real estate boom that would be experienced in the future decade, yet it did not act to utilize this windfall and implement the mitigation measure during those unanticipated good times. Now, the economy has declined—but years later than the implementation measure should have been accomplished. Mere preparation of a subsequent EIR alone does not provide the RDA with the opportunity of eliminating its obligations under CEQA—or its obligations to the citizens whose taxes contribute to RDA’s operations.

B. The RDA proposes to add what it calls a “mitigation measure” to allow the identification of historic resources to occur in the future on a *case by case basis* [when the heat of the discretionary approval phase of a proposed project is taking place.] Not only is the proposal *inconsistent* with the historic preservation component of the 2025 General Plan and the underlying Community and Specific land use policies--it is *inconsistent with the provisions of CEQA*.

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Beyond that, the “continue-to-conduct-business-as-usual” proposal is not a *mitigation measure*. There is no evidence the adoption of a measure of this sort would effectively lessen or avoid *any* significant impacts to *any* previously unsurveyed (hence unidentified) historic resources. Further, reliance on such a measure would only serve to cloak *any* understanding of the individual or cumulative historic resource impacts that might occur as a result of approval of this project. (Yet another purpose of CEQA is to allow decision makers and the public to *understand the environmental consequences* of a project *before* that project is approved. This measure does not accomplish that intended result.

As stated earlier (endnote *iii*) the duty to comply with CEQA is the lead agency’s duty. Please review the proposals that will be contained in the upcoming DEIR *before* that future document is circulated and insure these proposals fulfill CEQA requirements. The money being wasted on RDA’s apparent attempts to circumvent the most basic substantive purposes of state law could be better spent on improving the environmental qualities of Fresno.

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C. Please provide a copy of the actual instrument that was prepared to allow the RDA to continue to process its discretionary actions within the Merger I area on a “case-by-case” even though it had not implemented its required historic resource survey in the South Van Ness Industrial Area within the required timeline. (This “agreement” was referenced on page V-J2 of the Meir 10130.) This “agreement” should be contained within the recirculated NOP. (Or in the DEIR should the RDA determine a recirculation of the NOP is unnecessary.) Please note the RDA had full review and comment privileges to the MEIR and their contradictions to

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this claim were not raised. If an actual “agreement” related to the delay of the mitigation measure’s implementation does not exist, please so clearly state in the NOP and/ or DEIR and cite the authority RDA relied upon to continually fail to implement this mitigation measure over the last decade. Please also send a copy of this document to the undersigned in accordance with the California Public Records Act. (The RDA has 10 days after receipt of a written request to respond and indicate, in writing, whether the document exists and whether it will be released in whole or part.)

Mitigation measures are adopted to be implemented because otherwise, CEQA would merely be a paper generating exercise incapable of providing any benefit to the environment or taxpayer.

V. Additional historic resource concerns to be addressed in the DEIR.

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- A. The DEIR should review the other projects that have taken place in the Merger I area and disclose the other historic resource mitigation measures that have not been implemented as required. The resulting unmitigated impacts should be identified and disclosed in the DEIR. Unmitigated impacts include, *but are not limited to:*
- i. The RDA failed to implement the required historic resource mitigation measures during most of its land clearance efforts for the Regional Medical Center. On only one occasion, prior to the clearance of 11 homes, was the mitigation measure implemented to provide members of the public with notice of the pending demolitions. (Properties were to be publically noticed and made available for purchase and relocation for a specified period of time.) The MEIR indicated 160 housing units existed in this early area of Fresno. The case-by-case review of these dwellings was proposed by RDA for this project. Please identify the number of homes exceeding 50 years of age that were removed without required public notification. Copies of all the public notices published to implement this mitigation measure should be included. The RDA’s good faith disclosure of the environmental impacts that occurred in spite of this project’s adopted mitigation measures should occur.
 - ii. The historic resource impacts for the Armenian Town Project have not been implemented. The homes were removed from their foundations by 12/03 and should have been relocated to the designated permanent site by 12/04. (This was a project where in “case-by-case” review of historic resources occurred.) The RDA attempted to change mitigation measures to protect the homes after the project was approved in this case, also. The Third District Court of Appeals upheld the lower court decision in favor of the plaintiffs on 5/08 and directed the RDA to comply with the MND. Yet, more than a year has passed since the Appellate Court decision and these homes still remain on blocks. (The RDA even wants/intends to remove portions of these historic homes without additional CEQA review.) Other mitigation measures approved for this project have gone

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unimplemented, including the RDA's failure to document the resources and their sites prior to relocation, the failure to properly mothball the structures to prevent vandalism; the failure to post a performance bond for the completion of historic resource mitigation measures; the failure to hold the homes in temporary storage for no more than 1 year; etc. The RDA's failure to implement these mitigation measures has resulted in increased impacts to these historic resources and has served to create new blighting influences in the area. Please identify the amount of additional damage that has resulted because of RDA's failure to implement the required mitigation measures. (The significant structural damage that resulted from acts of vandalism should be included.)

- iii. Please and report on the status of the palletized Armenian Evangelical Church and include photos and follow up comments on the conditions of its storage.

- B. The NOP *amazingly* indicates the existence of the Chinatown tunnels has not been substantiated.

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Please note the Chinatown Revitalization Corporation has conducted tours of some of these tunnels. I've personally participated in a tour of the tunnels. A reporter from the LA Times also toured the structures and wrote an article about his experience. Attached is a copy of a Bee article referencing construction of the underground tunnels from my files. *Contrary to the comments in the NOP, the existence of the tunnels has been substantiated.* (I don't understand how the RDA missed the occasion). A historic resource survey of the tunnels, as well as the many other tunnels that have existed in downtown Fresno should be conducted. Historic accounts reference a number of tunnels, including one from Chinatown to the "Cave" located next to the Ogle House. (The "Cave" and Ogle House was located under the Dalmatia store in the vicinity of where the Executive Plaza now stands.). The underground structures were not only used for what we today consider illicit activities as the NOP accuses. The underground structures served additional purposes. However, it is important the RDA first understand the historic context of these underground structures prior to passing their judgment. American history contains failures, successes, wrongs and rights.

- C. New feasible mitigation measures and project alternatives must be identified by the lead agency in the DEIR.^{vi} The RDA is proposing a discretionary action which may result in new significant impacts to the environment.

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RDA's 7/21/08 Preliminary Report for the Amendments to the Merger No. I (Report) has already identified and described the degraded and blighting conditions of multiple historic buildings contained within its report diagrams. The RDA has explained these structures suffer from circumstances including: deferred maintenance; lack of investment; vacancies; structural issues; demolition by neglect, etc. (Many of these buildings have been contained within an RDA area for 10 years without any helpful intervention by RDA to arrest blighting

influences. Many others have been contained within an RDA area for multiple decades.)

Many of these historic resources are already identified on the local, state and/or national registers. And, the increased deterioration of these historic resources (caused by the passage of time without providing intervening assistance) has been cited by the RDA to explain why the extension of timelines for the RDA plan areas is appropriate.

The RDA has noted that vacant, under utilized, dilapidated historic resources were the most likely to suffer significant impacts from redevelopment activities. Therefore, RDA has recognized that historic resources may be significantly impacted as a result of this discretionary extension of these plan areas. And, of course, these historic resources are 10 years older than the last time RDA sought to extend its time limits to fulfill its purposes.

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Significant impacts to historic resources under the prior RDA plans have included demolition by neglect—such occurred last year to the National Register Consumers Ice House. (The Consumers Ice House was included in the Mariposa RDA plan area 39 years ago.) Its almost 4 decades of being contained in the redevelopment area did not protect or prevent blighting influences from occurring to this important historic building. And, as blighting influences began to appear, RDA did not take action to correct the blighting issues using its ability to leverage tax increment funding to provide repair, mothball, provide incentives, invoke eminent domain powers, etc. It is likely that RDA did not take action because it does not have policies and implementation measures in place to protect and enhance historic resources in its plan areas. (Please refer to the requirements discussed in endnote *vi*.)

Fresno's largest concentration of historic resources has already been contained within RDA areas for between 10- 46 years. (Most have been contained for multiple decades.) And, the time spent within these redevelopment areas has not improved their condition. Many worthy structures have been lost. RDA's serve to remove blight and they are provided with unique powers, the ability to incur debt, eminent domain, etc., to accomplish these purposes. As mentioned above, blight removal is not limited to demolition activities. Positive intervention can also remove blight and serve to enhance downtown. The DEIR should explore these alternatives.

VI. Alternatives Analysis

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The DEIR's alternatives analysis should include the alternative of allowing the various plan areas to emerge from the Merger I plan area as their time limits and eminent domain limits expire. Past RDA efforts simply haven't provided the outcomes originally contemplated. The EIR should analyze factors and supply the substantial evidence necessary to explore the superior environmental objective that could result from this alternative.

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An additional alternative should consider the proposed RDA extensions coupled with the integration of proactive historic preservation policies and implementation measures as well as the planned application of tax increment funding toward mothballing and repair of conditions that could lead to demolition by neglect. Measures considered with this alternative should be enforceable.

Mitigation measures to consider should include the survey of the entire plan area to identify historic resources and the historic contexts of the area, development of a preservation plan and the utilization of tax increment funds, grants, etc., to carry out the preservation plan.

Conclusion:

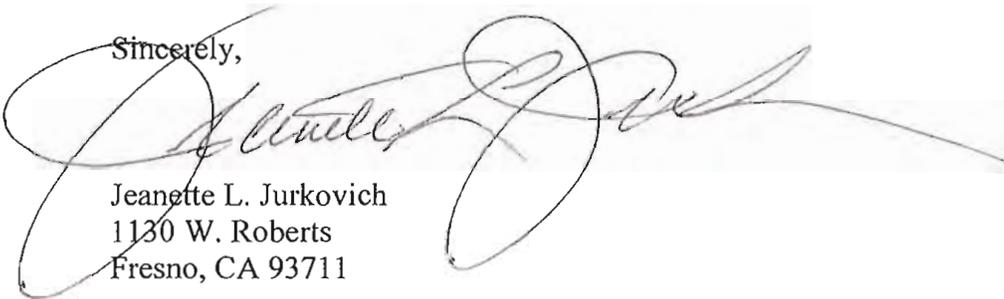
6-15

The RDA Board should consider compliance with CEQA Guidelines 15022(a) in an attempt to more efficiently fulfill RDA's duties under CEQA.^{vii} Adoption of these mandated implementing procedures (including the required assignment of responsibility for determining the adequacy of RDA's MNDs and/or EIRs) could prove to be helpful in conserving valuable resources. This comment is perhaps outside the comments which should be provided in response to an NOP. However, past experience with this project indicates this CEQA mandate might streamline RDA's efforts in complying with CEQA, a state law that was adopted more almost 40 years ago.

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Please include my name and my *correct* address on the notification list for this project's revised NOP or Draft EIR as applicable.^{viii} Thank you for the opportunity to comment.

Sincerely,



Jeanette L. Jurkovich
1130 W. Roberts
Fresno, CA 93711

PS. I am supplying these comments as a taxpayer holding a demonstrated interest in the preservation of historic resources. The Fresno County Superior Court determined that I qualified as an historic preservation expert for purposes of CEQA in *Debitin v. City of Fresno*. I am actively involved in multiple historic preservation efforts. I am a former member of the City of Fresno's Historic Preservation Commission and have regularly attended preservation courses provided by the State Office of Historic Preservation, California Preservation Foundation and the National Trust for Historic Preservation.

Encl: "The fascinating stories my father used to tell us," Gray, Inger. The Fresno Bee.

ⁱ The South Van Ness Industrial Area and Fulton Plan Area's plan expiration dates will not change.

ⁱⁱ The Chinatown (1965) and Chinatown Expanded (1986) are considered to be one plan in the NOP. The original Chinatown redevelopment area was formed in 1965; a later expanded Chinatown plan area was adopted in 1986. (Some of the Chinatown expanded area actually contains what remains of "Roosian Town" (Germans from Russia),

as well as Japanese and Italian settlements. Even though original portions of Chinatown plan have been contained within a redevelopment area for 44 years, RDA is proposing that enough blighting influences still remain to provide reason for RDA staff to continue their redevelopment efforts for another 13 and 29 years, respectively. A significant portion of authentic Chinatown's earliest settlement was razed by RDA in the 1970's to remove blight, and that same area remains vacant, blighted land today. Chinese comprised Fresno County's largest ethnic group for many decades after 1870. The City of Fresno had the second largest Chinese settlement in the state and this immigrant population provided significant contributions to the development of California's railroads, agricultural industry and infrastructure. Redevelopment efforts conducted in Chinatown between 6/99 and 6/08 resulted in the \$4.2 million decrease in assessed property values in the area—even though California experienced a real estate boom during the same time. Proposing to continue blight removal and redevelopment efforts in the same manner that RDA has utilized without success over the past many decades in this area will likely not work to improve conditions going forward. In fact, continuation of RDA efforts could be detrimental to the area's important historic resources, including the historic Chinatown tunnels and the area's potential revitalization efforts. More of the same could simply erase what is left to evidence the important contributions the Chinese, Germans from Russia and Japanese immigrants.

ⁱⁱⁱ CEQA Guidelines 15020 requires a public agency to meet its own responsibilities for compliance with CEQA. The agency is not permitted to rely on comments from private citizens as a substitute for work CEQA requires the Lead agency to accomplish. The undersigned is not required to review the ramifications of this mistake or make comments regarding changes required as a result of this error. It is the RDA's responsibility to comply with CEQA.

^{iv} The following body of adopted preservation policies and laws referred to below is not an exhaustive list:

A. The 3rd Goal of Fresno's 2025 GP is, "Preserve and revitalize neighborhoods, the downtown and historic resources." The preservation of historic resources is also supported by Goal 15.

B. The GP includes a Historic Resource Component in its Resource Conservation Element. This Historic Resource Component contains policies and objectives adopted to achieve historic preservation Goal 3 in the General Plan. (Refer to G-10 through G-11i). Policy G- 11-g calls for the integration of historic preservation into new development *and redevelopment projects*; the identification of candidate and recognized historic resources in early stages of plan preparation; and the screening of redevelopment areas for possible historic resources which might be adversely affected by a *redevelopment proposal*.

C. Fresno's GP defines historic resources as those historic structures, districts, sites, and landscape features which: represent past eras, events, and persons important in history; provide significant examples of architectural styles of the past or are landmarks in the history of architecture; are unique and irreplaceable assets to the city and its neighborhoods or provide examples of the physical surroundings in which past generations lived for this and future generations....(G-10-b). This adopted local definition of candidate historic resources needs to be considered during planning activities, in addition to the state definition provided in CEQA.

D. The City of Fresno is a Certified Local Government. (The City applied for, complied with the requirements, and accomplished this Certification.) As such, Fresno agrees to execute and administer a program for the identification and protection of historic resources including a system for historic resource surveys. Mitigation measures that require the completion of surveys (such as the mitigation measure adopted in the Merger I Program EIR 10124) is one method utilized to cause the completion of historic resource surveys to occur. (This is an effective method if the agency responsible for implementing the mitigation measure complies with CEQA.)

E. Fresno's local preservation legislation is its Historic Preservation Ordinance. This Ordinance is contained within the Fresno Municipal Code. The intent of this Ordinance is to "...preserve, promote and improve historic resources and districts of the City of Fresno for educational, cultural, economic and general welfare of the public...."

F. The General Plan's MEIR 10130 states the objectives and policies in the 2025 general plan "work to strengthen historic resource protection and conservation." (Page V-J4)

G. Fresno's Community and Specific Plans within the area contain strong preservation policies and implementation measures. These plans include the Central Area Community Plan; the Fulton Lowell Specific Plan; Roosevelt Community Plan. These plan areas are contained within the Merger I area.

F. The Central Area Community Plan envisioned a mixed use district emphasizing its cultural and historical importance. This Plan was adopted to provide for the preservation of the Central Area's unique historical and cultural heritage setting and for the creation of a newly revitalized urban core environment (Resolution 87-549) The Central Area is comprised of the land contained within the triangle area. Goal 7.3 of the plan is to "Promote Fresno's heritage through preservation and restoration of historically and architecturally significant structures and

districts in the Central Area.” The Plan’s adopted historic preservation policy calls for the development of a master plan for ...historically and architecturally significant structures...to ensure orderly and compatible development.”

G. Goal 9 of the Fulton Lowell Redevelopment Plan is, “Achieve historic preservation through the conservation and revitalization of historically and architecturally significant structures, resources and districts within the Fulton Lowell Areas.” The plan’s policy 9-1 calls for the development of a master plan for historic resources.

H. The Roosevelt Community Plan contains historic resource mitigation measures that include the survey of redevelopment areas for possible historic resources. It also requires described code enforcement actions taken on buildings 50 years or older to be made available to the Historic Preservation Commission for their recommendations. Finally, this plan requires properties over 50 years old to be assessed for historic value prior to the issuance of any demolition order. This Plan (page 127) states very little archaeological work toward identifying archaeological resources has been accomplished in south east Fresno.

I. The General Plan’s described the lack of building surveys in Fresno as an obstacle to its ability to analyze the extent of potentially significant impacts to historic resources (pg. V-J4).

J. Redevelopment Plans must be consistent with Fresno’s GP, Community and Specific Plans.

K. Projects comprising a community development program shall be formulated and proposed by the City Manager and/or the Executive Director of the Redevelopment Agency annually or as otherwise directed by the Council. Such projects shall include among their objectives the following:...(7) The restoration and preservation of properties of special value for historic, architectural or esthetic reasons through the redevelopment process or other means. FMC 2-1308(7). (Added Ord. 2007-55, § 4, eff. 9-4-07).

^v In contrast, the assessed value of entire South Van Ness Industrial Area’s property taxes increased only \$12.8 million (0.875% per annum) as a redevelopment plan area.

^{vi} “A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted mitigation measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements or other measures.” CEQA Guidelines 15064.5(b)(4). (Emphasis added.)

^{vii} In the past, RDA has indicated it has adopted the City of Fresno’s implementation policies. However, the City of Fresno’s adopted implementation policies do not address all the provisions addressed in CEQA Guidelines 15022(a) requirements.

^{viii} For the record, I have lived on Roberts avenue for almost 20 years and have attempted to correct my address with RDA many times in the past. I have never been a member of Heritage Fresno nor have I ever lived on Portland Avenue. Yet, this incorrect address stubbornly hangs on. RDA’s failure to correct my address serves only to reduce the amount of time I am personally provided to comment under CEQA. This is recognized. Again, please correct my address in RDA’s records. Thank you.

The Fascinating Stories My Father Used To Tell Us

By INGER K. GRAY

Papa was a story teller — he remembered everything that had ever happened to him in his lifetime — and he loved to tell about them, to anyone who would listen.

I am sure that I was his most ardent fan, that is, before his only grandchild, my daughter, arrived, and started "Bessefer," (Grandfather in Danish) please tell me about when you came to America."

We never tired of hearing of his experiences of how he left his native Denmark in 1888 (arriving in Fresno 12 years later) to seek his fortune.

He was 21 years old. His first story was how he had become a carriage builder by trade and saved enough money to leave \$300 with his mother in case the streets of New York weren't paved with gold and he wanted to return to his native land.

With his prepaid insurance for a return ticket home, he set sail into the land of opportunity. He didn't find the gold, but he found a FLAG and COUNTRY that he loved and made it his home until he died at age 91.

He always said he sailed to America third class passage, because there wasn't a fourth.

He arrived in New York, could speak no English, had no friends or relative in this country, but did speak German.

He found work as a pattern maker for the Erie Railroad and while there made the pattern for the first automatic coupling for joining railroad cars. It is displayed in the Smithsonian Institute.

Kidlike, I enjoyed the story of how, after being sent to do some repair work on the elevated railroad, he forgot that he wasn't on the floor of the shop and stepped back, only to come hurtling 40 feet to the ground, landing on his head.

He was momentarily stunned, but

soon realized that his life had been saved by a derby hat. There he sat with the brim of the hat around his neck like a collar, looking every bit like someone out of a Keystone comedy. It had served as a cushion.

That wasn't the end of the derby hat life saving bit. Another time a chisel fell from a great height, and pierced Papa's derby, and came to rest with a corner sticking into his skull.

Its fall had been deflected enough that the wound was only superficial. Evidently the derby was a forerunner of the present day construction worker's tin hat.

Then the story of coming to California. He decided to visit Cuba. Got as far as Key West and was not allowed into Cuba because of an epidemic of Yellow Fever, so continued to Galveston on the tail end of the Great Hurricane of 1900 in which 6,000 people lost their lives.

Fate had it figured out. He could not land in Cuba, Galveston was a city of destruction and dead, so he came to Fresno, to visit a friend he had met in the east.

The friend, Niels Petersen, owned a blacksmith shop at the corner of Inyo and I streets (I St. now being Broadway). Uncle Niels hired him as a wheelwright.

One day a Chinese strawberry peddler with yoke and baskets over his shoulders came into the shop and with a stroke of super salesmanship admonished Niels' young son "You cry, him buy!" It worked.

Papa later went on to work as a foreman for the Hansen Construction Co.

The stories about his boss, Hans Hansen, whom he was fond of, were numerous and funny, but my favorite was about one day they were coming down "X" Street (now Van Ness) and parked diagonally in front of

Blacks Package Company, a grocery store, where the Hilton Hotel now stands.

"Uncle Hans" was driving his first car, an E.M.F. (commonly known as Every Morning Fixem). He had

always driven a team of horses, and this was about 1904. As they pulled into the curb, Uncle Hans pulled back on the steering wheel mightily and yelled "VHOA." The car didn't hear a thing, jumped the curb, went across the sidewalk, through the vegetables, and with cabbages and potatoes flying, went through the front door. I don't think Papa was wearing his derby that day.

Papa also liked to go to fires. In

See Father's Stories, Page A11



Inger K. Gray

Father's Stories

Continued from Page A10

those early days when the fire whistle blew, it was in code, so by checking a chart (everyone had one hanging in the kitchen) a person would know where the conflagration was. We had a tank house, so up to the top he would fly, take a look over the town and down he'd come, grab his bike and away he'd go.

His favorite story was the one when the Barton Winery burned and the wine tanks exploded. The wine ran down the ditch and the residents of east Fresno (not many of them then, the population of Fresno and suburbs at the time being about 25,000) brought everything from quart jars to dishpans and filled them and then there were those who laid on their bellies and lapped up the nectar of the Barton Vineyard Grapes.

Chinatown! Such fascinating stories. Opium dens, gambling houses, Chinese torteries. I'd sit wide-eyed, my imagination running wild. Papa would tell how he had many friends among the Chinese people and did a lot of their building for them.

How the lookout for the gambling houses would sit at the doorways along China Alley in their native Chinese dress, all black, wide legged trousers, wide sleeved overblouses, slipper-like shoes, small skull caps, and the long braided queue, with their arms crossed, hands inside their sleeves, apparently asleep, but always alert to give the alarm at the approach of an unwanted visitor.

Papa said there were many rooms and doorways underground at these entrances. I asked him how he knew. His answer "I should know, I built them!"

Papa was Thomas M. Paulsen, a

building contractor in Fresno from 1914 though the early thirties. He was a small man, 5' 6", slender, with a very shiny bald head on top, and neatly trimmed moustache. He was a very gentle, kind man who put sticks in the tin lined chicken feed box so the mice could escape. He didn't want to hurt them.

This I remember from my childhood, also the gummy sack food cooler in the shade of the tankhouse that harbored a huge bull frog in the dampness underneath. I had to guard him from other children, because he was Papa's friend.

Papa contributed much in the line of buildings to Fresno, though many of them have been torn down to make way for progress. Still standing are the old Republican building, where McMahan's furniture store is located; the Kern-Kay Hotel, now Slater's Furniture Store; the Tulare Hotel, at the corner of M and Tulare Streets, recently remodeled; the old Prescott Home, now Palms Mortuary, and many of the old beautiful homes of Fresno, the Danish Creamery and all of the Prescott Warehouses.

He built all the buildings used in the Pageant for the early Raisin Day Festivals, including one mile of grandstands for the road races, a melting pot of the nations that held 1,500 school children, a King Arthur's Castle that stretched for a quarter of a mile — but then each and every one of these is another story.

Inger K. Gray is a life-long resident of Fresno. She has been a legal secretary for 19 years. She has made five trips to Denmark. This is her first try at writing.

AUG-17-2009 14:13

CO FRESNO DEPT PWP

559 262 4893 P.02



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

August 14, 2009



VIA FAX: (559) 498-1870

David Martin
Redevelopment Agency of the City of Fresno
2344 Tulare, Suite 2000
Fresno, CA 93721

Dear Mr. Martin:

SUBJECT: Notice of Preparation of a Draft Subsequent Environmental Impact Report
Fresno Merger No. 1 Redevelopment Plan Amendments Project

The County of Fresno appreciates the opportunity to review and comment on the above-referenced document. Based on the County's review of the project, the following comments are offered for your consideration:

Library

7-1

If any of your Agency's tax increment is used for the proposed Eaton Plaza renovations, the County Library is not in support of the last phase of those renovations, which would take away street parking in front of the County's Central Library. It is anticipated that this would subsequently have an adverse impact on patronage at the County's Central Library.

County Administrative Office - Economic Development

7-2

In a prior statutorily required consultation between your Agency and the County in the Fall of 2008 concerning the above-captioned proposed amendments, your Agency informed County Staff that your Agency would respond, in writing, to the County's initial questions and comments noted in its letter dated September 18, 2008, attached, and would seriously consider reducing various aspects of the proposed amendments, such as eliminating "constituent" project areas, and reducing substantial increases in time and financial limitations for "constituent" project areas, in the Preliminary Report. To date, we have not received a response letter from your Agency. We also note that the Initial Study, dated July 2009, which is attached to the Notice of Preparation, seems to eliminate the West Fresno III "constituent" project area. But, the Preliminary Report (Appendix A to the Initial Study) still is dated July 21, 2008; and, therefore did not reflect

DEVELOPMENT SERVICES DIVISION

Redevelopment Agency
August 14, 2009
Page 2

- 7-2
cont. any of these several expected changes to the Preliminary Report, including the elimination of the West Fresno III "constituent" area.
- County staff will be corresponding with your Agency by a separate letter concerning their outstanding request for your Agency's response to their letter referred to above, the expected revisions to the Preliminary Report, as well as other matters related to the proposed amendments.
- In the meantime, we note that the Initial Study may be based on an outdated Preliminary Report.

- 7-3 We do not have any other comments, at this time, to the Initial Study.
- Please continue to keep us advised of the progress of the proposed amendments, including providing all further distributions of environmental documents, such as the forthcoming Subsequent Environmental Impact Report discussed in the Initial Study.
- We also ask that you please provide your Agency's current proposed schedule for the City of Fresno and your Agency to adopt the proposed amendments.

We appreciate the opportunity to comment on the project. If you have any questions regarding the comments above, please contact Ms. Karen Bosch-Cobb, County Librarian at (559) 488-3185 or Ms. Jeanette Ishii, Economic Development Coordinator at (559) 262-4168 or you may contact me by email at bryanseanwhite@co.fresno.ca.us or you call me at (559) 442-2556.

Sincerely,



Bryan Sean White, Planner
Development Services Division

BSW:mac

G:\4360Devs&Plan\EnvPlan\OAR\City of Fresno\City of Fresno Merger No. 1 Redevelopment Plan\Comment Ltr 2.doc

Attachment

August 15, 2009

Mr. David Martin
Project Manager, City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

Response to Notice of Preparation Fresno Merger No 1 Redevelopment Plan

Dear Mr. Martin,

As a passionate advocate for the revitalization of Downtown Fresno, I commend your agency's work in helping to bring new investment and activity to Fresno's urban core. However, in reviewing the Notice of Preparation for the Fresno Merger No 1 Redevelopment Plan Draft Subsequent Environmental Impact Report, a few issues arose regarding the way the plan addresses Cultural Resources.

8-1

Of particular concern is the substitution of existing Mitigation Measure 3.15-5, from the 1998 EIR, which required the city conduct a Historic Building Survey of the South Van Ness Industrial area, with a new "case-by-case" measure. If the original Mitigation Measure was feasible in 1998, why is it no longer feasible in 2009? Please respond and explain with greater detail and supporting evidence as to the necessity of replacing this mitigation measure. What are the other alternatives? Please respond.

The proposed new mitigation measure, which would require that developers to follow a survey on a case-by-case basis during the discretionary approval process raises a number of serious issues and potential for other significant impacts. By not identifying potential historic resources upfront, the Agency and potential developers will be working in the dark, not knowing which properties may qualify as historic resources before they invest significant sums of money and time into the initial stages of such projects. Recent history in Fresno has shown us that waiting until the discretionary approval process is underway to determine which properties in the district may be historic resources can create a climate of political and financial pressures which can negatively impact such resources and create a fait accompli situation. Please respond as to why a process which delays such surveys until the discretionary approval process is superior to other alternatives in these circumstances.

8-2

In addition, there are other potential impacts created by such a delayed approach to historic preservation. Within this Project Area, we have already seen how the uncertainty often created by threat of eminent domain can be a deterrent to

8-2
cont.

property maintenance by existing property owners, such as in the South Stadium Area. This is of particular importance to historic resources in the area, as those properties are often in the greatest need of such maintenance. By not knowing the extent of historic resources in the area until a specific development comes forward, we risk continued decay and degradation of these resources. If they are identified upfront in a Mitigation Measure that supports a complete historic survey of the district, such properties could perhaps be eligible for a number of beneficial upgrades. In addition to the potential for local, state and national incentives for historic properties (The Mills Act, Federal Tax Credits, State Historic Building Code, etc) the historic resources in the area could also be made available to receive repairs, maintenance and or rehabilitation as part of Mitigation Measures for other projects in the Project Area. Please respond.

8-3

Finally, a case-by-case approach is detrimental to the preservation of historic districts. As noted on Page 24 of the NOP of the Draft Subsequent Environmental Impact Report, there are numerous "potential" historic districts in the Project Area. If the agency only treats historic resources on a case by cases basis, and doesn't conduct a larger district wide survey, the integrity and continuity of any such potential historic districts could very well be lost, or lose their historic significance. The very nature of a historic district is contextual, and is often not evident when individual properties are viewed alone, on a case-by-case basis. This issue of historic context underscores the need for a comprehensive approach to identifying historic resources in the Project Area. How can a case-by-case, property-by-property, development-by-development approach address the identification of potential historic districts that derive their significance through the overall context of various contributing properties within the district. Please respond.

8-4

Another area of concern is in regards to archaeological resources. The NOP of the Draft Subsequent Environmental Impact Report states that there is a Less-than-significant impact to archaeological resources. It goes on to explain since the 1998 EIR, there have been discussions about the existence of historic underground tunnels in the Chinatown area, associated with illicit activities, but that "these claims have not been substantiated."

While the complete extent of the system of underground tunnels and connected basements is not yet fully known, the existence of such archaeological resources is in fact well documented. On October 13th, 2007 Chinatown Revitalization Inc, and Creative Fresno hosted a "Mindforum" event which took attendees on a limited tour of these underground passageways. I attended that tour and took a number of photographs, which are accessible online at the following World Wide Web address:

<http://www.flickr.com/photos/jazzportraits/sets/72157621943074029/>

While the tour focused primarily on the network of connected basements running below the buildings on F Street, long sealed doors leading under what would be the street above were clearly visible.

The existence of these underground resources has also been well documented in the local and national news media over the past several years. This included coverage by USA Today, CNN, and the LA Times, as well as the Fresno Bee and KSEE 24. Online copies of these articles and reports can be found at the following World Wide Web addresses:

8-4
cont.

<http://articles.latimes.com/2007/nov/26/local/me-tunnels26>

http://www.usatoday.com/news/nation/2007-10-14-fresno-tunnels_N.htm

<http://www.cnn.com/2007/TECH/science/10/15/secret.tunnels.ap/index.html>

<http://www.ksee24.com/news/kseesunrise/9640142.html>

Given the potential significance of this find, and its window into the early years of Fresno's history, and a major ethnic group that helped build the Valley, it would be wise to proceed with an abundance of caution. It is not hard to imagine that the Project could create the potential for significant impacts to these underground archaeological resources. Even if the tunnels that once extended under the streets do not retain their complete integrity, or are in some way collapsed or compromised, their potential value as archaeological resources is still clear. That they have not been fully explored to date, or that their condition is unknown is immaterial to the discussion at hand. Mitigation measures should be adopted to protect this priceless cultural heritage. These could include, but would not be limited to, a complete survey of the area, excavations, and other research. Please respond with mitigation options.

Thank you for your time and consideration.

Sincerely,

Mr. Joe Moore
Mail Stop SA 119
5201 N. Maple Ave
Fresno, CA 93740

STATE OF CALIFORNIA
 PUBLIC UTILITIES COMMISSION
 505 VAN NESS AVENUE
 SAN FRANCISCO, CA 94102-3298

Arnold Schwarzenegger, *Governor*



August 17, 2009

Mr. David Martin
 Redevelopment Agency of the City of Fresno
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

Re: Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR)
 Initial Study for Fresno Merger No. 1 Redevelopment Plan Amendments
 SCH # 2008081011

Dear Mr. Martin:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian movement at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

9-1

The NOP, Section XV. Transportation/Traffic fails to identify any potentially significant impacts to any of the at-grade rail crossings in the nine Constituent Project Areas. The CPUC as Resource Agency disagrees with section XV a. and b. and the "less than significant impact" checked box, considering the number of accidents (Pedestrian, Bicycles and vehicles) at several crossings since the 1998 FEIR 10124, this would constitute New and Significant information in accordance with CEQA and needs to be revised accordingly.

There is a proposed High Speed Train (HST) project proposed from S.F to San Diego and for the segment between Merced and Kern County, Fresno is a proposed stop with a station. The High Speed rail Authority (HSRA) is currently completing the DEIR for this project, the RDA/City of Fresno needs to include in this proposed project the HST project for all scenarios within the Transportation/Traffic section (other sections may also be affected) specifically the traffic impact study. The land use adjacent to the proposed station and selected rail corridor alternative will be critical when the project is approved by the High Speed rail Authority (HSRA). Appropriate planning needs to take place at the local level to accommodate the necessary right of way and footprint for all grade separated crossings along the selected rail corridor in the City of Fresno.

The proposed project will significantly add to the cumulative traffic above baseline levels for each of the nine Constituent Project areas. The Traffic Impact Study (T.I.S) for the DEIR needs to specifically consider and address traffic safety issues to all at-grade railroad crossings. The DEIR needs to evaluate, for example, whether traffic queues would extend across the railroad tracks. Such queuing increases the possibility that a motorist would stop on the tracks and be unable to clear the tracks as a train approaches, e.g., due to congestion or a stalled vehicle. In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians.

General categories of measures to reduce potential adverse impacts on rail safety include:

- 9-2
- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
 - Improvements to warning devices at existing highway-rail crossings
 - Installation of additional warning signage

 - Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
 - Installation of median separation to prevent vehicles from driving around railroad crossing gates
 - Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintaining the visibility of warning devices and approaching trains
 - Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
 - Installation of pedestrian-specific warning devices and channelization including sidewalks
 - Construction of pull-out lanes for buses and vehicles transporting hazardous materials
 - Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
 - Elimination of driveways near crossings
 - Increased enforcement of traffic laws at crossings
 - Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

- 9-3
- Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

Please forward the proposed Draft T.I.S. Scope for our review and comment before the project proponent commences the actual analysis to assure that all at-grade rail crossings are within the parameters of the study and in accordance with the City of Fresno Traffic Impact Study Guidelines.

9-4

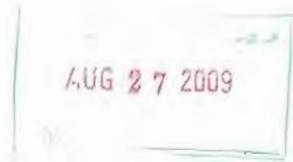
The Traffic study when completed will assist the RDA to identify the tax increment limits and time limits to receive tax increment and repay bonded indebtedness for all the Constituent Redevelopment Plans identified in the project NOP based on the mitigation measures identified in the study.

We further request to be notified of any scoping meetings pertaining to the T.I.S. that the City may conduct in the future for responsible, permitting, resource agencies and or general public.

Thank you for your consideration of these comments and we look forward to working with the RDA/City of Fresno on this project. If you have any questions in this matter, please call me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites
Rail corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and Crossings Branch
515 L Street, Suite 1119
Sacramento, CA 95814



M. Scott Mansholt
Sr. Environmental
Project Management
Specialist

**Chevron Environmental
Management Company**
6111 Bollinger Canyon Road
BR1Y/3432
San Ramon, CA 94583
Tel (925) 543-2353
Fax (925) 543-2323
scott.mansholt@chevron.com

August 24, 2009

Stakeholder Correspondence—Fresno Redevelopment Agency
Fresno Merger No 1 Redevelopment Plan Amendments Project
Notice of Preparation and Subsequent Environmental Impact Report

Mr. David Martin
Project Manager
City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

**Subject: Fresno Merger No. 1 Redevelopment Plan Amendments Project
Comments for the Notice of Preparation and Subsequent Environmental Impact Report
Chevron Environmental Management Company
Historic Pipeline Alignment-Bakersfield to Richmond**

Dear Mr. Martin:

11-1 Chevron Environmental Management Company (CEMC) recently became aware of the Environmental Impact Report (EIR) being prepared in support of the Fresno Merger No. 1 Redevelopment Plan Amendments Project. The Redevelopment Plan Amendments project area consists of nine separate constituent project areas that encompass approximately 1,322 acres in central Fresno. The purpose of this letter is to notify project stakeholders as to the location of former crude-oil transportation pipelines that were operated by Chevron's predecessors with respect to the Merger No 1 Redevelopment Area (see Figure 1). The intent is that the pipeline location information will be incorporated into the final EIR.

11-2 In the early 1900s, Chevron's predecessors built the Tidewater Associated Oil Company (TAOC) pipeline system to transport heavy crude oil from oilfields in the southern San Joaquin Valley to refineries in the San Francisco Bay Area. The pipeline operated until the early 1970s when it was decommissioned.

11-2 Evidence of historic releases associated with the former TAOC alignment is sometimes identified during the course of underground utility work and other subsurface construction activities near the former pipelines. Generally, residual weathered crude oil associated with Chevron's historical pipeline operations can be observed visually; however, analytical testing is necessary to confirm that the likely source of the affected material is associated with the former TAOC alignment. Government agencies agreed with the testing and analytical results from human health risk assessments performed at several known historical pipeline release sites, which confirm that soil affected by the historic release of crude-oil from the pipeline is non-hazardous and does not pose significant health risks. It has also been established that residual subsurface oil in the soil is relatively immobile due to its heavy and weathered nature.

Currently, there are no known releases from the former TAOC pipeline within the Merger No. 1 Redevelopment Plan Amendments project area. CEMC's experience along various portions of the former TAOC alignment indicates that the potential exists for subsurface soil along and near the historical

Mr. David Martin – Project Manager
August 24, 2009
Page 2

11-2
cont.

alignment to be affected by undocumented residual weathered crude oil. Therefore, Chevron requests to be informed of planned construction and land development projects in the vicinity of the former pipeline alignment. In addition, to facilitate the identification of land areas in the City of Fresno along the pipeline easements that are proposed for development, Chevron requests that Geographic Information System (GIS) land use planning data be provided. In exchange for this data, Chevron will provide GIS data that illustrates the location of their historic pipelines within the City of Fresno.

For more information regarding the Historical Pipeline Portfolio–Bakersfield to Richmond alignment, please visit <http://www.hppinfo.com/>. If you have any questions or require additional information, please call SAIC consultants Tom Burns at (916) 979-3748 or Danny Anzelon at (858) 826-3316 regarding the historical TAOC pipeline alignment.

Sincerely,



M. Scott Mansholt

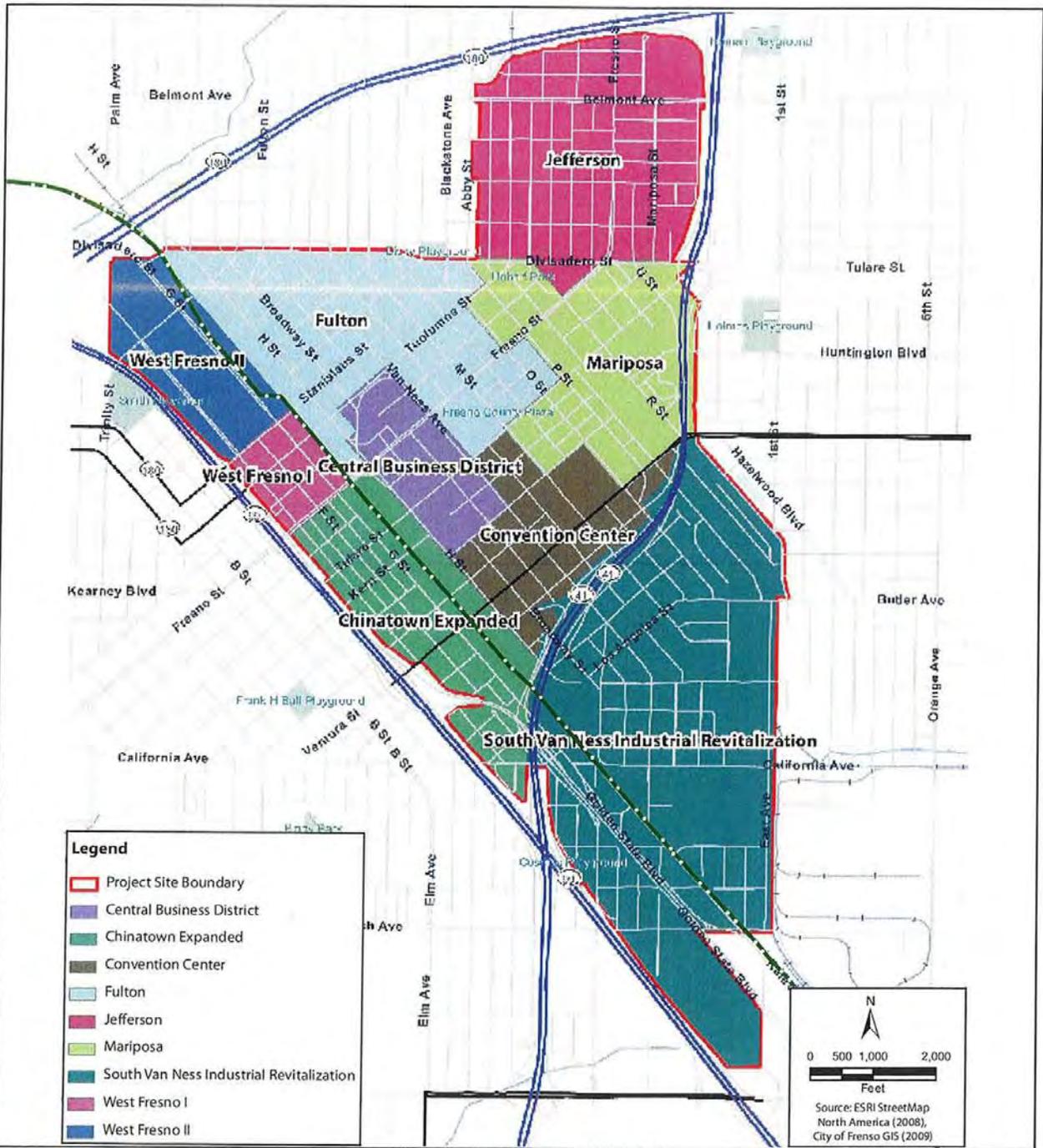
MSM/klg

Enclosures:

Figure 1. Historical TAOC Pipeline Alignments within the Merger No. 1 Redevelopment Area

cc: Mr. Tom Burns – SAIC
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mohamed Ibrahim – SAIC
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mike Jenkins – SAIC (letter only)
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Stuart Batstone – ARCADIS
2033 North Main Street Suite 340, Walnut Creek, California 94596

FILE: \\CASAC\GIS\USERS\HOANGTA\GIS\FRESNO\REDEVELOPMENT\ERHIPP_FIG1_FRESNO\REDEVELOPMENT.MXD



Legend

- Project Site Boundary
- Central Business District
- Chinatown Expanded
- Convention Center
- Fulton
- Jefferson
- Mariposa
- South Van Ness Industrial Revitalization
- West Fresno I
- West Fresno II

N

0 500 1,000 2,000
Feet

Source: ESRI StreetMap North America (2008), City of Fresno GIS (2009)

Map is a relative representation of current and historical data and should be verified for exact legal or underground work.



CALIFORNIA LOCATION MAP

Historical Tidewater Associated Oil Company (TAOC) Pipeline

**HISTORIC TAOC PIPELINE ALIGNMENT
WITHIN THE MERGER NO. 1
REDEVELOPMENT AREA**

Fresno, California

DATE: 8/13/2009 ANALYST: HOANGTA FIGURE:



1



Planning and Development Department
Keith Bergthold, Interim Director

2600 Fresno Street, Third Floor
 Fresno, California 93721-3604
 (559) 621-8003 FAX (559) 498-1012

Please reply to:
 (559) 621-8520

August 25, 2009

David Martin
 Project Manager
 Redevelopment Agency of the City of Fresno
 2344 Tulare Street Suite 200
 Fresno, CA 93721

Dear Mr. Martin:

The Historic Preservation Commission reviewed the Notice of Preparation and Initial Study for the Fresno Merger No. 1 Redevelopment Plan Amendments Project at its public hearing, Monday August 24th. The Commission also received testimony from the public on this matter.

On a 7-0 vote the Commission made the following comments and asked that these points and recommendations be addressed within the Draft Subsequent Environmental Impact Report:

- 12-1 | • Recommends that the historic survey, as initially required for the South Van Ness Industrial Area as a mitigation measure (3.15-5), be retained-
- 12-2 | • Recommends against project-by-project historic surveys but strongly supports comprehensive surveys performed to State standards, prior to development proposals. Ultimately these surveys provide a baseline of information that is useful in potential development and which may in fact prove to more cost efficient and less contentious-
- 12-3 | • Supports the development of a historic survey protocol and potential MOU/MOA between the City's Planning and Development Department and the RDA that would address standards, funding, cost-sharing and a protocol for accepting and/or adopting the survey findings by the Commission and Council (please see staff report, as attached)-
- 12-4 | • Archaeology needs to be addressed in the SEIR; Commission supports inclusion of the State of California's Office of Historic Preservation protocols for sub-surface resources-
- 12-5 | • Include within the SEIR an updated list of historic surveys that have been completed over the past 10 years, with a list of potential historic districts, as called out in these surveys.

Thank you for the opportunity to comment on this important document and for the extension of time.

Sincerely,

Karana Hattersley-Drayton
 Historic Preservation Project Manager
 (for) City of Fresno Historic Preservation Commission

xc Darrell Unruh, Secretary, Historic Preservation Commission
 Historic Preservation Commissioners



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
 FAX (559) 233-8227
 2907 S. MAPLE AVENUE
 FRESNO, CALIFORNIA 93725-2218

August 25, 2009



Mr. David Martin
 City of Fresno
 Redevelopment Agency
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

RE: Notice of Preparation of a Draft Subsequent Environmental Impact Report
 Fresno Merger No. 1 Redevelopment Plan Amendments Project

Dear Mr. Martin:

The Fresno Irrigation District (FID) has received and reviewed the Notice of Preparation of a Draft Subsequent Environmental Impact Report for the Fresno Merger No. 1 Redevelopment Plan Amendments Project (Project). The site is located in downtown Fresno and it encompasses about 1,900 downtown city acres roughly bounded by East Avenue, Highway 99 and Highway 180. The Project would extend the City's ability to acquire property within the Project area through use of eminent domain; streamline the Constituent Redevelopment Plans to ensure consistency of those plans with the 2025 City of Fresno General Plan and future General Plan updates and other specific or community plans; and amend specific time and financial limits for the Constituent Project Areas. 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:

13-1

1. FID's Braly No. 14 pipeline traverses the South Van Ness Industrial Revitalization Project Area as shown on the attached FID exhibit map. The Braly pipeline consists mainly of old Cast in Place Concrete Pipeline which will probably need to be upgraded with any new construction which may impact it. The pipe line may also need to be realigned to accommodate the new development which would require a new easement. FID will provide more detailed comments when the specific areas develop.

- 13-2
2. The majority of the proposed project is located within a portion of the City of Fresno that is outside of the FID service area. Therefore, surface water is not allocated to a majority of this area by FID for the City's use. The Subsequent EIR will be based on the initial 1998 EIR. Since the adoption of the 1998 EIR, there are new regulations, local standards, and statutes in effect as well as new circumstances that result in new information. As such the City's Urban Water Management Plan was updated in 2008. The Urban Water Management Plan calls for the City to balance its water usage by 2025. It was not clear whether the Urban Water Management Plan accounted for high water consumption by projects like the one proposed within the Downtown area. If not, a balanced water supply will be more difficult to achieve and the potential impacts must be evaluated.
- 13-3
3. The potential for increase in water consumption by the project will result in either additional groundwater overdraft or the shifting of water supplies to this area from other areas within the City's water system. There is a significant cone of depression beneath the Cities of Fresno and Clovis, and especially underneath the Fresno downtown area. Since the Urban Water Management Plan states that the City will have a balanced water supply by 2025, it is assumed that other areas within the City, including those within FID, are willing to use less water in order for this project to proceed. Is that truly 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. The DEIR should analyze these impacts.
4. 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 projects like the one proposed will inhibit the City's progress to balancing the water usage, if the necessary offsets for the increased water demands are not provided.
- 13-4
5. The DEIR should consider whether the Developer 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 DEIR may consider making improvements to a nearby FMFCD basin 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 a nearby FMFCD basin.

Mr. David Martin
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Thank you for the opportunity to review and comment on the subject DEIR. We appreciate your consideration of our comments and look forward to receiving responses to them. Should you have any questions, please do not hesitate to contact me at bstretch@fresnoirrigation.com or (559) 233-7161 ext. 318.

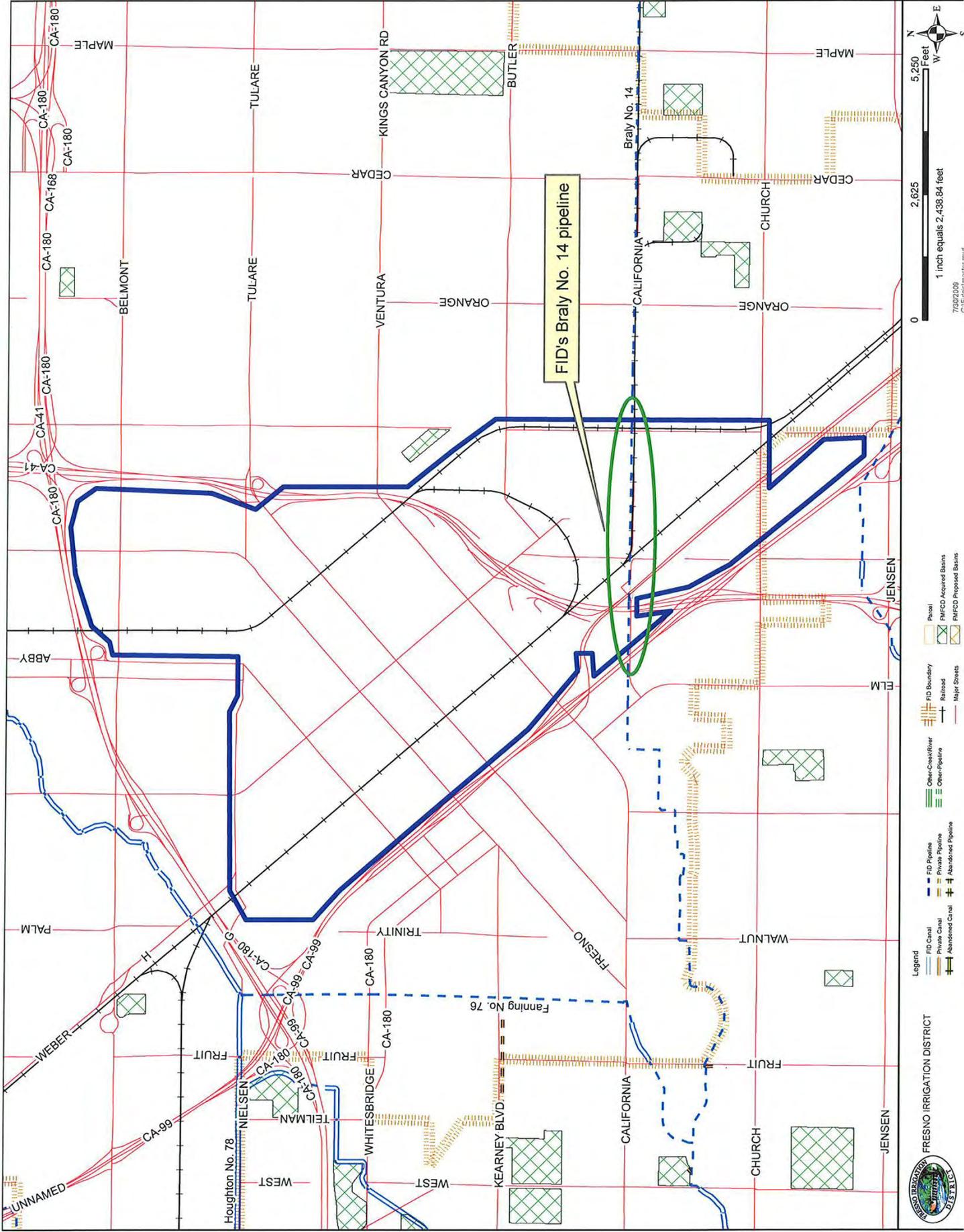
Sincerely,

A handwritten signature in blue ink that reads "William R. Stretch". The signature is written in a cursive style with a long horizontal flourish extending to the right.

William R. Stretch, P.E.
Chief Engineer

Attachment

cc: City of Fresno – Planning & Development



FID's Braly No. 14 pipeline

FRESNO IRRIGATION DISTRICT



- Legend
- FID Canal
 - Private Canal
 - Abandoned Canal
 - FID Pipeline
 - Private Pipeline
 - Abandoned Pipeline
 - Other-Creek/River
 - Other-Pipeline
 - FID Boundary
 - Railroad
 - Major Streets
 - Parcel
 - RMFCD Acquired Basins
 - RMFCD Proposed Basins

0 2,625 5,250 Feet
1 inch equals 2,438.84 feet
7/30/2009



Appendix D
City of Fresno Municipal Code
Sections 6-304, 6-305, 6-337,
12-405, and 12-406

SEC. 6-304. PERMIT REQUIRED AND PAYMENT OF SEWER CONNECTION CHARGES.

- a. No person shall connect any lot to the city sewer system without a permit from the Director of Development. No permit shall be issued by the Director of Development unless the following sewer connection charges, when applicable, have been paid:
 1. Lateral Sewer Charge. A Lateral Sewer Charge shall be required for each lot sought to be connected to the city sewer system based on the net area of such lot, in the amount per square foot as designated in the Master Fee Resolution.

Notwithstanding the above:

- i. Property, which has not previously had city sewer service, shall pay a Lateral Sewer Charge only to the extent that such Lateral Sewer Charge or the cost of the main serving the premises has not heretofore been paid by the applicant or his predecessor in interest.
- ii. Where the applicant is required to extend a sewer main across his property frontage as a condition precedent to receiving service, no such charge shall be collected for that portion of the frontage adjacent to the main which the applicant is required to extend.
- iii. When only a portion of a lot is developed and the remaining portion is to continue undeveloped or is to be used solely for the growing of agricultural crops, the Director may require the payment of the Lateral Sewer Charge applicable only to that portion of the lot developed or to be developed. When the balance of the lot is developed, the Lateral Sewer Charge on that portion shall be paid regardless of whether additional sewer service is required. The Director shall fix the portion of the lot that is to be considered as developed.
- iv. Properties, on behalf of which no contribution has been made to the cost of the sewer mains and which receive service from sewer main extensions made in other than dedicated and surfaced streets, shall pay to the city the same Lateral Sewer Charge as would be payable if the sewer main were located in a dedicated street adjacent to the property to be served.
- v. In the R-A, AE-5 and AE-20 zone districts on a developed lot at least two net acres in size, when a portion not fewer than twelve thousand five hundred square feet of such lot is to be improved with one additional single-family residence or the existing residence is to be connected to the city sewer system, the Director may require the payment of the Lateral Sewer Charge applicable only to the portion of such lot to be improved or occupied by the existing residence to be connected to the city sewer system. When the land use on the balance of the lot changes either through district amendment or special permit, the Lateral Sewer Charge shall be paid regardless of whether or not additional sewer service is required. The Director shall fix the portion of such lot which is to be considered as improved or occupied.

SEC. 12-405. SPECIAL PERMITS; GENERAL.

This section shall govern the issuance of special permits.

- A. FINDINGS. No special permit shall be issued unless it is found that the privilege exercised under the permit, as it may be conditioned, conforms to following findings and grounds of issuance:
1. Variance. Except as provided in Section 12-406.5, a variance from the terms of this Zoning Ordinance shall be granted only when it is found that:
 - a. Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical zoning district; and,
 - b. The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is situated; and,
 - c. The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located; and
 - d. The grant of variance will not be in conflict with established general and specific plans and policies of the city.
 - e. The grant of a variance from existing development standards will encourage infill development within designated inner city areas as defined by 12-105-I.
 2. Conditional Use Permit. A Conditional Use Permit shall be granted only when it is found that:
 - a. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls, and fences, parking, loading, recycling areas, landscaping, and other required features; and,
 - b. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
 - c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-30 of this Code.
 3. Site Plan. A site plan shall be approved only when it is found that:

- a. All applicable provisions of this Code are complied with and, in addition, that the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and surrounding property is protected from adverse effect:
 - (1) Facilities and improvements.
 - (2) Vehicular ingress, egress, and internal circulation.
 - (3) Setbacks.
 - (4) Height of buildings.
 - (5) Location of services.
 - (6) Walls.
 - (7) Landscaping.
 - (8) Lighting.
 - (9) Signs.
 - (10) Recycling areas.
- b. All special conditions required by the city as a condition in a covenant, agreement, or special permit are met.

B. CONDITIONS.

1. The issuance of any special permit may be subject to such conditions as may be deemed to be appropriate or necessary to assure compliance with the intent and purpose of this Zoning Ordinance and established general and specific plans and policies of the city or to protect the public health, safety, or welfare. Additionally, when located within the review area of one of the airport specific plans (the Sierra Skypark Land Use Policy Plan; the Fresno-Chandler Downtown Airport Master and Environs Specific Plan; or the Airport and Environs Plan, Fresno Yosemite International Airport), all special permits shall be subject to the provisions of the adopted land use compatibility policies for development established by each airport specific plan for 1) Noise, 2) Airspace Protection, 3) Safety, and 4) Nuisance.
2. The owners of the land may be required to execute a covenant running with the land, in a form approved by the City Attorney, which shall contain the conditions imposed and it shall be recorded in the Office of the County Recorder. The Director shall issue releases from such covenants when they are no longer applicable to a property.
3. Dedication and improvement of easements for public utility, landscaping, right-of-way for streets shown on the Major Street and Highway Plan, the Circulation Element of the General Plan and/or any other adopted plans of streets, plan lines or alignments, Director's Determination, and any other easements, rights-of-way or local streets determined by the City Engineer to be necessary for adequate access to the property shall be required as a condition of the exercise of a special permit, upon the same basis as provided by Section 11-208 and related sections in Article 2 of Chapter 11 of this Code. A dedication requirement pursuant to this

section shall include only that dedication determined by the City Engineer to be necessary to service public infrastructure needs as a consequence of the entitlement. Appeals relating to the requirements of said Article 2, shall be made and heard as therein provided.

Notwithstanding the above, additional dedications may be required as mitigation measures identified by an environmental document, or under other special circumstances.

4. No special permit, other than a variance, may allow any deviation from the provisions of this Zoning Ordinance or any other regulation, unless expressly so provided for by such ordinance or regulation.
 5. A Conditional Use Permit or Site Plan for a residential development shall provide, to the extent feasible, for passive and natural heating or cooling opportunities and for other measures that conserve nonrenewable energy resources in accordance with the provisions of Subsection 12-1011(1).
 6. No building permit shall be issued for any development for which a special permit has been issued until the requirements for street trees as provided in Article 3 of Chapter 11 of this Code have been met and street tree fees paid pursuant to the Master Fee Schedule.
 7. As a condition of approval of a Conditional Use Permit or Site Plan, piping of canals of a capacity which can be accommodated by a pipeline having an inside diameter of fifty-four inches or less and installation of trash racks shall be required, as provided in Section 10-905 and 12-306-O of this Code.
 8. No building permit shall be issued for any development for which a special permit has been issued until the requirement for recycling areas, as provided in Section 12-306-N-50, has been met.
 9. Installation of Outdoor Electric Lighting Fixtures. Any outdoor lighting fixture installed shall be hooded and so arranged or controlled as not to cause an annoyance or nuisance either to highway traffic or to adjacent properties. All lighting is subject to review and approval by the Building Official. After approval, in addition to all other remedies provided in the Zoning Ordinance and the Code, violation of these lighting requirements may be enforced as a public nuisance under subsection 10-605(i).
 10. Whenever landscaping and/or open space requirements are identified as a development standard within a District, additionally, the provisions of subsections 12-306-N-23 (Water Efficient Landscape Standards), 12-306-N-24 (Landscaping), and 12-306-N-21-c(2) (Planned Development) shall apply.
- C. EXERCISE OF RIGHTS. The exercise of rights granted by a special permit shall be subject to the following provisions:
1. Commencement. The exercise of rights granted by such special permit shall be commenced within four (4) years after the date of the final action letter issued for the permit. In the event that a special permit was applied for in response to the city taking any code enforcement action related to the property, commencement shall occur within six (6) months, and completion of the project within twelve (12) months, after the date of

final approval of the special permit, or as reasonably provided by staff, or by order of the City Administrative Hearing Officer.

2. Completion. All conditions imposed by the decision granting the special permit shall be diligently complied with, and all construction authorized shall be diligently pursued to completion.
 3. Extension. The time limits for any special permit conditionally granted in conjunction with an approved tentative tract map shall be automatically extended upon the extension of such tentative tract map pursuant to Section 12-1005.1 of this Code.
- D. TERMINATION OF RIGHTS. A special permit, and all rights granted therein, shall be considered terminated when either of the following occur:
1. Failure to commence the exercise of rights as required by Section 12-405-C.
 2. Whenever the rights granted by a conditional use permit are discontinued for a continuous period of one year.
- E. REVOCATION OF RIGHTS. The Director may revoke the rights granted by such special permit and the property affected thereby shall be subject to all of the provisions and regulations of this Zoning Ordinance applicable as of the effective date of revocation. Such revocation shall be for good cause including, but not limited to, the failure to comply with conditions or complete construction as required by subsection C, the failure to comply with any condition contained in the special permit, failure to comply with the general sign provisions of Sections 12-1701 through 12-1718 and the Outdoor Advertising provisions of the zone district for which the special permit was granted, or the violation by the owner or tenant of any provision of this Code pertaining to the premises for which such special permit was granted.
1. Notice. The Director shall give notice, pursuant to Section 1-214, of the revocation together with his reasons therefor, to the occupant of such premises, to the owner of such premises, to any person indicated in the permit as being entitled to exercise the permit, and post the notice conspicuously on such premises. The Director shall set forth in such notice the effective date of such revocation which shall be not less than thirty days after the giving and posting of such notice.
 2. Extension. At any time before the effective date of revocation, the Director, for good cause shown, may extend or further extend, such effective date.
 3. Appeal. The provisions of Sections 12-406-E, F, G, H and I shall apply.
 4. Compliance. Revocation shall not become effective, if before its effective date, the Director, or on appeal, the Commission, shall find that the reasons for revocation no longer exist and that the public will not suffer by such action.
- F. MAPPING. The Director shall maintain a map or maps, which may be the Official Zone Map, indicating properties subject to special permits. Such indication shall show the file number of such special permit.

G. PERMIT. No permit required by this Code, including but not limited to building, occupancy, electrical and sign permits, shall be issued for a use or development requiring a special permit until such special permit is obtained. No such permit shall be issued until the Director is assured that all terms and conditions of any applicable special permit and this Zoning Ordinance shall be complied with.

SEC. 12-406. SPECIAL PERMITS; PROCEDURE.

This section shall govern the procedure for the issuance of the special permits set forth in Section 12-405.

- A. INITIATION. Proceedings under this Section may be initiated pursuant to Subsection 12-401-A-1 (Council resolution), Subsection 12-401-A-4 (application) or Subsection 12-401-A-3 (director action).
- B. DIRECTOR REVIEW. When reviewing a request for a special permit, the Director may:
1. Require that the applicant submit to the Director, of such type and in such form as he may specify, additional information as he may deem relevant to the application such as, but not limited to, an operational statement for the proposed project, floor plans, architectural renderings and technical studies as appropriate.
 2. Require that copies of each application be distributed for comment as the normal routine of business. Those offices, agencies and departments shall consider issues of concern under their jurisdiction and submit written comments, recommendations and requirements to the Director.
 3. Require that the matter be heard before the Director at a departmental hearing in accordance with such procedure as the Director may establish.
 4. Extend, for reasonable periods, the time within which the Director is required to give his decision pursuant to Subsection C below.
- C. DIRECTOR ACTION. After initiation of a proceeding, the Director, based upon such information as may be available to him shall, in writing, grant, grant in modified form, or deny the requested special permit.

Alternatively, the Director, on his or her discretion and for good cause, may refer the special permit to the Planning Commission for approval at a public hearing or stay his or her decision on the special permit until after a Planning Commission or Council decision on a related matter.

- D. NOTICE OF DECISIONS. Notice of the Director's decision shall be given as follows:
1. Denial. A letter shall be mailed to the applicant, property owner and/or authorized agent as shown on the application form.
 2. Grant. For a special permit other than a site plan review, a Notice of Granting shall be mailed pursuant to Subsection 12-401-F-2.
 3. At the discretion of the Director, and with good cause, a notice of granting of a site plan review application may be mailed pursuant to Subsection 12-401-F-2.

- E. EFFECT OF DIRECTOR DECISION. Unless appealed to the Commission pursuant to Section 12-406-F, below, the decision of the Director shall be final and effective for all purposes.
- F. APPEAL TO THE COMMISSION. Pursuant to Section 12-401-H, any interested party may file an appeal of the Director's action to grant, grant in modified form, or deny a special permit. When the appeal is filed, said decision shall be set aside, and a public hearing upon the matter shall be set before the Commission pursuant to Section 12-401-B.
- G. COMMISSION NOTICE AND HEARING. A public hearing before the Fresno City Planning Commission shall be noticed pursuant to Subsection 12-401-C-2 (mailing), and held pursuant to Section 12-401-D.
- H. COMMISSION ACTION. The Commission may grant, grant in modified form, or deny the requested special permit.
- I. EFFECT OF COMMISSION DECISION. Unless the Commission decision is set for hearing to the Council in accordance with Section 12-406-J below, the decision of the Commission shall be final and effective at 12:01 a.m. on the sixteenth day after the date of the decision, subject to writ of administrative mandamus under 1094.6 of the Code of Civil Procedures. Failure by any interested person to petition a Councilmember or the Mayor for said appeal will constitute a failure to exhaust administrative remedies.
- J. COUNCIL REVIEW FOLLOWING COMMISSION DECISION. Within fifteen (15) days of the decision of the Planning Commission, either the Councilmember of the district in which the project is located or the Mayor may, on his or her own initiative, or upon receiving a petition from any interested party, file a letter with the Director to set a hearing in front of Council to consider the Planning Commission decision. When a letter from a Councilmember or Mayor is timely filed with the Director, the decision of the Commission shall be set aside, and a public hearing upon the matter shall be set before the Council pursuant to Section 12-401-B and noticed pursuant to Subsection 12-401-C-2 (mailing) and held pursuant to Section 12-401-D.
- K. COUNCIL ACTION. The Council may grant, grant in modified form, or deny the requested special permit.
- L. EFFECT OF COUNCIL DECISION. The Council decision shall be final and effective and subject to a writ under Code of Civil Procedure Section 1094.6 immediately upon Council action.

- vi. For separate maintenance facilities within cemeteries and on facilities used for other than cemetery purposes, the Director shall fix the area of the lot for Lateral Sewer Charges based on dimensions of the property actually used for such purposes.
2. **Oversize Sewer Charge.** An Oversize Sewer Charge shall be required for each lot sought to be connected to the regional sewer system based on the net area of such lot, in the amount per square foot designated in the Master Fee Resolution. Parcels of land proposed for subdivision shall be assessed based on the parcels' net area prior to subdivision.

Property which has wholly or proportionately paid the cost of sewer mains, when such fact has been or can be established to the satisfaction of the Director, need pay only the Oversize Sewer Charge applicable to the portion of the property for which the charge has not been paid.

Notwithstanding the above:

- i. When only a portion of a lot is developed, and the remaining portion is to continue undeveloped or is to be used solely for the growing of agricultural crops, or for public recreation uses not enclosed in a building, the Director may require the payment of the Oversize Sewer Charge applicable only to that portion of the lot developed or to be developed, provided that the parcel for which such fees are charged shall have an area of not fewer than twelve thousand five hundred square feet. When the balance of the lot is developed, the Oversize Sewer Charge shall be paid regardless of whether or not additional sewer service is required. The Director shall fix the portion of the lot which is to be considered as developed.
- ii. In the R-A, AE-5 and AE-20 zone districts on a developed lot at least two net acres in size, when a portion not fewer than twelve thousand five hundred square feet of such lot is to be improved with one additional single-family residence or the existing residence is to be connected to the regional sewer system, the Director may require the payment of the Oversize Sewer Charge applicable only to the portion of such lot to be improved or occupied by the existing residence to be connected to the regional sewer system. When the land use on the balance of the lot changes either through district amendment or special permit, the Oversize Sewer Charge shall be paid regardless of whether or not additional sewer service is required. The Director shall fix the portion of such Lot which is to be considered as improved or occupied.
- iii. Oversize Sewer Charges shall be paid upon connection with the regional sewer system, except that in the UGM area, a subdivider may receive oversize sewer and extra depth sewer fee credits in the amount of reimbursements due at the reimbursement rate in effect at the time of construction, in accordance with subdivision (c) of Section 6-306, for property owned by such subdivider who has previously constructed oversize sewers in the Oversize Sewer Service Area which totally includes such property. This provision shall apply to all tract maps approved after July 1, 1983.

- iv. On separate maintenance facilities within cemeteries and on facilities used for other than cemetery purposes, the Director shall fix the area for Oversize Sewer Charges based on the dimensions of the property actually used for such purposes.
3. House Branch Sewer Charge.
 - i. For each lot, which requires a new or revised house branch for which the installation or revision of the house branch is arranged by the city, the applicant shall pay to the city a House Branch Sewer Charge for the cost of the installation or revision. The cost of installation or revision shall be equal to the contract price paid by the city, plus such amounts as are designated in the Master Fee Resolution for administration, engineering, and inspection.
 - ii. Each lot or premises shall be served with a separate sewer house branch, unless approved by the Director and a recorded covenant, approved by the City Attorney's Office, is executed between the affected property owners.
 - iii. Where a lot is sought to be connected to an existing house branch, for which the cost has not previously been paid on behalf of the lot, the House Branch Sewer Charge shall be the same as if the house branch were a new house branch. If such connection is sought more than one year after the installation of such branch, simple interest shall be added at the rate of seven per cent (7%) per annum to the cost of installation as defined above, except that no interest shall accrue beyond five years from the date of installation.
4. Trunk Sewer Charge. A Trunk Sewer Charge shall be required for all residential lots, within an established Trunk Sewer Service Area, sought to be connected to the regional sewer system in the amount designated in the Master Fee Resolution. The purpose of this subdivision is to ensure the provision of an adequate trunk sewer system to convey domestic and industrial wastes to the POTW treatment plant and to provide a means for levying and collecting charges to be used solely for the purpose of designing and constructing trunk sewer mains to serve designated Trunk Sewer Service Areas.
 - i. The Council shall by resolution establish a Trunk Sewer Service Area, which is an area served by a trunk sewer main. The resolution may establish benefit to multiple Trunk Sewer Service Areas served from a common trunk sewer main, in which event, funds collected in the individual Trunk Sewer Service Areas may be used to finance the construction of the trunk sewer main. The service areas may be amended by the Council from time to time to reflect unusual sewer service capabilities or to reflect modifications in urban land use boundaries. The Director may make minor modifications to the Trunk Sewer Service Map, as sewer mains are extended at the fringes of the Trunk Sewer Service Areas, to reflect actual sewer service capabilities. Minor modifications are those changes to the Trunk Sewer Service Area boundary that when aggregated do not add or subtract more than forty acres to or from the Trunk Sewer Service Area. The Director shall maintain an

official Trunk Sewer Service Map designating all established Trunk Sewer Service Areas.

- ii. The Council shall designate in the Master Fee Resolution a schedule of charges for each Trunk Sewer Service Area. The total amount of charges to be generated shall be based on the cost of the trunk sewer main to serve Trunk Service Area(s) or the cost to enhance the capacity of an existing trunk sewer main in a Trunk Sewer Service Area. The cost of a trunk sewer main shall include all of the direct and incidental costs of constructing the new trunk sewer main or the capacity enhancement for an existing trunk sewer main including, but not limited to, land acquisition, design and engineering, construction, financing costs, inspection and contract administration.
- iii. A Trunk Sewer Charge shall be required for every lot within a Trunk Sewer Service Area to be connected to the regional sewer system unless the Council, by resolution, waives the payment in that Trunk Sewer Service Area for existing developed lots without public sewer service. The total amount of charges to be generated in each Trunk Sewer Service Area shall be based on a reasonable allocation made by the Council considering the estimated or actual cost of design and construction of the trunk sewer main facilities and may include the cost to finance construction.
- iv. The Council may review and amend the Trunk Sewer Charges by amending the Master Fee Resolution from time to time to reflect inflation or any change in the factors affecting the cost of constructing such trunk sewer main facilities or the estimated number of units to be served by the facilities.
- v. All Trunk Sewer Charges collected from development within a Trunk Sewer Service Area shall be deposited in the Trunk Sewer Service Area account for that area. The Trunk Sewer Service Area account, including any accumulated interest, shall be used solely for the purposes of designing and construction, including costs of financing trunk sewer main facilities in that Trunk Sewer Service Area, and for administration, inspection, and engineering costs of the city directly related thereto, except that monies accumulated in that account may be loaned to another Trunk Sewer Service Area as provided in this subdivision. In the event trunk sewer main facilities are designed or constructed by a developer, the Trunk Sewer Charges collected for such design and/or construction, less costs incurred by the city, shall be paid to the developer responsible for the design and/or construction, subject to Council approval.
- vi. The Council may authorize the use of funds accumulated in one Trunk Sewer Service Area account for construction of or making bonded debt payments for trunk sewer mains in another such area, provided the Council finds that the existing sewer service level in the Trunk Sewer Service Area with excess funds is adequate to provide service to all existing and approved development, and that the funds remaining on hand after the loan in that service area account are

adequate to make the current bonded debt payments. The resolution authorizing a loan of funds to another Trunk Sewer Service Area shall establish the terms of the transaction and shall include provisions that the funds borrowed from a Trunk Sewer Service Area, including interest at a rate determined by the Controller to be the average annual rate received by the city on its investments, shall be repaid from Trunk Sewer Charges collected from subsequent development in the Trunk Sewer Service Area in which the trunk sewer was constructed. Loans from other Trunk Sewer Service Areas including interest shall be repaid in the order in which the Council approved such loans.

5. Wastewater Facilities Charge. A Wastewater Facilities Charge shall be required for all residential sought to be connected to the regional sewer system in the amount designated in the Master Fee Resolution. The purpose of this subdivision is to ensure the provision of adequate POTW treatment plant and appurtenant facilities, and to provide a means for levying and collecting charges to be used solely for the purpose of designing and constructing a POTW treatment plant and appurtenant facilities.
 - i. A Wastewater Facilities Charge in the amount designated in the Master Fee Resolution shall be required for every lot sought to be connected to the regional sewer system,
 - ii. The Wastewater Facilities Charge shall be based on the cost of wastewater treatment facilities to be constructed to provide additional treatment capacity per unit for every lot sought to be connected to the regional sewer system for which sewerage treatment is provided by the subject facilities. The cost of the facilities providing expanded treatment capacity shall include all direct and incidental costs for constructing wastewater treatment plant facilities, including but not limited to, land acquisition, design, financing costs, inspection and contract administration.
 - iii. All Wastewater Facilities Charges and interest thereon shall be deposited in the sewer service fund and shall be used solely for the purposes of design and construction, including costs of financing, and for administration, inspection and engineering costs of the city directly related to the enhancement of treatment capacity at the POTW treatment plant and appurtenant facilities.
 - iv. The Council may review and amend the Wastewater Facilities Charge by amending the Master Fee Resolution from time to time to reflect inflation or any change in the factors affecting the cost of constructing such wastewater treatment facilities or the estimated number of units to be served by the facilities. The Council shall eliminate the charge at such time as revenues are no longer needed to enhance capacity at the POTW treatment plant or to pay the debt service related to capacity enhancement.
- b. When land is subdivided prior to the time the Final Map or Parcel Map is approved, the owner shall pay or cause to be paid all applicable sewer connection charges, except that the Wastewater Facilities Charge

applicable to residential subdivisions shall be paid at the time of the issuance of a building permit for any structure to be constructed on such property.

- c. Payment of charges and issuance of permits pursuant to this section do not authorize the permittee to perform or cause to be performed work specified in this article to be performed by the city.
- d. Whenever the Council, the Board of Supervisors of the county, or the Board of a special district, whichever is applicable, has adopted a resolution of intention to construct regional sewer system improvements, no permit for additions to or connection to the regional sewer system to serve any lot included in the district subject to such resolution shall be issued until the hearing of protest has been finally determined in favor of the protestants or the proposed work has been consummated sufficiently to allow the lot to be served by such regional sewer system improvements.
- e. Payment of Lateral Sewer Charges pursuant to subdivision 6-304(a)(1), Oversize Sewer Charges pursuant to subdivision 6-304(a)(2), and House Branch Sewer Charges pursuant to subdivision 6-304(a)(4) may be deferred until issuance of a certificate of occupancy pursuant to an agreement which conforms to the requirements of Section 12-4.604.

SEC. 6-305. PAYMENT OF SEWER CHARGES.

- a. The amount of any sewer connection charges or sewer facility charges prescribed under the provisions of this article shall be deemed a debt owing to the city which, until paid, shall be a continuing obligation of the owner of such property for connection to the regional sewer system. Any person who makes a connection to the regional sewer system without having paid such charges in full or having accomplished the execution, acceptance and recording of an agreement to pay therefor as herein provided, shall be liable in an action in the name of the city in any court of competent jurisdiction for the amount of such charge. The conviction or punishment of any person for connecting to the regional sewer system without obtaining a permit shall not relieve such person from paying the charges due and unpaid at the time of such conviction.
- b. This section shall neither apply to the construction or payment for sewers which have been provided for under procedures regulating the division of land or the connection of sewers to property owned by a government or governmental agency, nor whenever the Council or Board of Supervisors of the county, whichever is applicable, has adopted a resolution of intention to construct improvements by special assessments within a district which includes said lot.
- c. Payment of sewer connection charges or sewer facility charges together with interest on the unpaid balance, payable because of connection of existing single-family residences anywhere in the City's service area, and commercial or industrial development in the Enterprise Zone, may be deferred by an agreement between the property owner and the city, to pay such charges together with interest on the unpaid balance, over a period of not more than fifteen years, in accordance with the following provisions:

1. The agreement shall provide for substantially equal bimonthly installments amortized over a period of not more than fifteen years, at a rate of interest as periodically established by the Controller and adopted by the Council in the Master Fee Resolution.
 2. The sewer connection charges which may be deferred, and limitations, if any, on the amounts that may be deferred, shall be as established in the Master Fee Resolution.
 3. The agreement shall be of a form and content prescribed by the Controller and approved by the City Attorney.
 4. The agreement shall be signed by all persons having a record title interest in the real property being served by the city sewer system, to which connection is requested, and shall include the legal description of the property.
 5. The agreement shall provide that the whole, or any part of the balance of charges due at any time under the agreement may be accelerated and paid at any time, at the option of the payer.
- d. The agreement provided for in subdivision (c) above shall be in the form of a covenant running with the land, and shall establish a lien against the property in favor of the city in the amount of all deferred charges, and shall be recorded in the office of the Fresno County Recorder.
 - e. The agreement and lien shall be enforceable by the city in any manner available at law or in equity, including but not limited to private foreclosure and sale of the property in the manner provided by Section 2924 of the California Civil Code.

SEC. 6-337. SEWER SERVICE FUNDS.

- a. A sewer service fund is hereby established. It shall consist of revenue from sewer service charges, revenue from sewer connection charges, and sewer facility charges as herein defined.
- b. All revenue obtained from sewer service charges shall be deposited into said fund, shall be accounted for separately, and shall be expended for the acquisition, construction, reconstruction, maintenance, and operation of wastewater facilities, including payment of interest and principal on bonds issued for such purposes, and for the implementation of the city's pretreatment program. Such funds shall not be expended for new sewers fewer than ten inches in diameter.
- c. All revenue obtained from sewer connection charges shall be deposited into said fund, shall be accounted for separately and shall be expended for the acquisition, construction and reconstruction of the POTW, including payment of interest and principal on bonds issued for such purposes. Said fund may also provide a capital reserve for depreciation and enlargement of the POTW.
- d. All revenue obtained from sewer facility charges pursuant to section 6-310 shall be deposited into said fund, shall be accounted for separately and shall be expended as provided below:

- i. Wastewater Facilities Charges, shall be imposed, accounted for and expended consistent with section 6-304(a)(5), provided however that Wastewater Facilities Charges collected pursuant to section 6-310 shall only be used for costs which are allocable to businesses.
 - ii. Trunk Sewer Charges, shall be imposed, accounted for and expended consistent with section 6-304(a)(4), provided however that Trunk Sewer Charges collected pursuant to section 6-310 shall only be used for costs which are allocable to businesses.
- e. The terms "Sewer Service Charges," "Sewer Connection Charges," and "Sewer Facility Charges" as used herein shall apply only to those funds collected for the use of the POTW and shall not be construed to affect revenues derived from the plumbing permit fees; provided, however, that nothing contained in this section shall be construed to restrict or prohibit the making of transfers from said sewer service fund for the purpose of making temporary loans to one or more of the various departments of the city; and provided further that all such temporary loans shall be restored annually to the sewer service fund on or before the last day of each fiscal year.

SEC. 12-405. SPECIAL PERMITS; GENERAL.

This section shall govern the issuance of special permits.

- A. FINDINGS. No special permit shall be issued unless it is found that the privilege exercised under the permit, as it may be conditioned, conforms to following findings and grounds of issuance:
1. Variance. Except as provided in Section 12-406.5, a variance from the terms of this Zoning Ordinance shall be granted only when it is found that:
 - a. Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical zoning district; and,
 - b. The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is situated; and,
 - c. The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located; and
 - d. The grant of variance will not be in conflict with established general and specific plans and policies of the city.
 - e. The grant of a variance from existing development standards will encourage infill development within designated inner city areas as defined by 12-105-I.
 2. Conditional Use Permit. A Conditional Use Permit shall be granted only when it is found that:
 - a. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls, and fences, parking, loading, recycling areas, landscaping, and other required features; and,
 - b. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
 - c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-30 of this Code.
 3. Site Plan. A site plan shall be approved only when it is found that:

- a. All applicable provisions of this Code are complied with and, in addition, that the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and surrounding property is protected from adverse effect:
 - (1) Facilities and improvements.
 - (2) Vehicular ingress, egress, and internal circulation.
 - (3) Setbacks.
 - (4) Height of buildings.
 - (5) Location of services.
 - (6) Walls.
 - (7) Landscaping.
 - (8) Lighting.
 - (9) Signs.
 - (10) Recycling areas.
- b. All special conditions required by the city as a condition in a covenant, agreement, or special permit are met.

B. CONDITIONS.

1. The issuance of any special permit may be subject to such conditions as may be deemed to be appropriate or necessary to assure compliance with the intent and purpose of this Zoning Ordinance and established general and specific plans and policies of the city or to protect the public health, safety, or welfare. Additionally, when located within the review area of one of the airport specific plans (the Sierra Skypark Land Use Policy Plan; the Fresno-Chandler Downtown Airport Master and Environs Specific Plan; or the Airport and Environs Plan, Fresno Yosemite International Airport), all special permits shall be subject to the provisions of the adopted land use compatibility policies for development established by each airport specific plan for 1) Noise, 2) Airspace Protection, 3) Safety, and 4) Nuisance.
2. The owners of the land may be required to execute a covenant running with the land, in a form approved by the City Attorney, which shall contain the conditions imposed and it shall be recorded in the Office of the County Recorder. The Director shall issue releases from such covenants when they are no longer applicable to a property.
3. Dedication and improvement of easements for public utility, landscaping, right-of-way for streets shown on the Major Street and Highway Plan, the Circulation Element of the General Plan and/or any other adopted plans of streets, plan lines or alignments, Director's Determination, and any other easements, rights-of-way or local streets determined by the City Engineer to be necessary for adequate access to the property shall be required as a condition of the exercise of a special permit, upon the same basis as provided by Section 11-208 and related sections in Article 2 of Chapter 11 of this Code. A dedication requirement pursuant to this

section shall include only that dedication determined by the City Engineer to be necessary to service public infrastructure needs as a consequence of the entitlement. Appeals relating to the requirements of said Article 2, shall be made and heard as therein provided.

Notwithstanding the above, additional dedications may be required as mitigation measures identified by an environmental document, or under other special circumstances.

4. No special permit, other than a variance, may allow any deviation from the provisions of this Zoning Ordinance or any other regulation, unless expressly so provided for by such ordinance or regulation.
 5. A Conditional Use Permit or Site Plan for a residential development shall provide, to the extent feasible, for passive and natural heating or cooling opportunities and for other measures that conserve nonrenewable energy resources in accordance with the provisions of Subsection 12-1011(1).
 6. No building permit shall be issued for any development for which a special permit has been issued until the requirements for street trees as provided in Article 3 of Chapter 11 of this Code have been met and street tree fees paid pursuant to the Master Fee Schedule.
 7. As a condition of approval of a Conditional Use Permit or Site Plan, piping of canals of a capacity which can be accommodated by a pipeline having an inside diameter of fifty-four inches or less and installation of trash racks shall be required, as provided in Section 10-905 and 12-306-O of this Code.
 8. No building permit shall be issued for any development for which a special permit has been issued until the requirement for recycling areas, as provided in Section 12-306-N-50, has been met.
 9. Installation of Outdoor Electric Lighting Fixtures. Any outdoor lighting fixture installed shall be hooded and so arranged or controlled as not to cause an annoyance or nuisance either to highway traffic or to adjacent properties. All lighting is subject to review and approval by the Building Official. After approval, in addition to all other remedies provided in the Zoning Ordinance and the Code, violation of these lighting requirements may be enforced as a public nuisance under subsection 10-605(i).
 10. Whenever landscaping and/or open space requirements are identified as a development standard within a District, additionally, the provisions of subsections 12-306-N-23 (Water Efficient Landscape Standards), 12-306-N-24 (Landscaping), and 12-306-N-21-c(2) (Planned Development) shall apply.
- C. EXERCISE OF RIGHTS. The exercise of rights granted by a special permit shall be subject to the following provisions:
1. Commencement. The exercise of rights granted by such special permit shall be commenced within four (4) years after the date of the final action letter issued for the permit. In the event that a special permit was applied for in response to the city taking any code enforcement action related to the property, commencement shall occur within six (6) months, and completion of the project within twelve (12) months, after the date of

final approval of the special permit, or as reasonably provided by staff, or by order of the City Administrative Hearing Officer.

2. Completion. All conditions imposed by the decision granting the special permit shall be diligently complied with, and all construction authorized shall be diligently pursued to completion.
 3. Extension. The time limits for any special permit conditionally granted in conjunction with an approved tentative tract map shall be automatically extended upon the extension of such tentative tract map pursuant to Section 12-1005.1 of this Code.
- D. TERMINATION OF RIGHTS. A special permit, and all rights granted therein, shall be considered terminated when either of the following occur:
1. Failure to commence the exercise of rights as required by Section 12-405-C.
 2. Whenever the rights granted by a conditional use permit are discontinued for a continuous period of one year.
- E. REVOCATION OF RIGHTS. The Director may revoke the rights granted by such special permit and the property affected thereby shall be subject to all of the provisions and regulations of this Zoning Ordinance applicable as of the effective date of revocation. Such revocation shall be for good cause including, but not limited to, the failure to comply with conditions or complete construction as required by subsection C, the failure to comply with any condition contained in the special permit, failure to comply with the general sign provisions of Sections 12-1701 through 12-1718 and the Outdoor Advertising provisions of the zone district for which the special permit was granted, or the violation by the owner or tenant of any provision of this Code pertaining to the premises for which such special permit was granted.
1. Notice. The Director shall give notice, pursuant to Section 1-214, of the revocation together with his reasons therefor, to the occupant of such premises, to the owner of such premises, to any person indicated in the permit as being entitled to exercise the permit, and post the notice conspicuously on such premises. The Director shall set forth in such notice the effective date of such revocation which shall be not less than thirty days after the giving and posting of such notice.
 2. Extension. At any time before the effective date of revocation, the Director, for good cause shown, may extend or further extend, such effective date.
 3. Appeal. The provisions of Sections 12-406-E, F, G, H and I shall apply.
 4. Compliance. Revocation shall not become effective, if before its effective date, the Director, or on appeal, the Commission, shall find that the reasons for revocation no longer exist and that the public will not suffer by such action.
- F. MAPPING. The Director shall maintain a map or maps, which may be the Official Zone Map, indicating properties subject to special permits. Such indication shall show the file number of such special permit.

G. PERMIT. No permit required by this Code, including but not limited to building, occupancy, electrical and sign permits, shall be issued for a use or development requiring a special permit until such special permit is obtained. No such permit shall be issued until the Director is assured that all terms and conditions of any applicable special permit and this Zoning Ordinance shall be complied with.

SEC. 12-406. SPECIAL PERMITS; PROCEDURE.

This section shall govern the procedure for the issuance of the special permits set forth in Section 12-405.

- A. INITIATION. Proceedings under this Section may be initiated pursuant to Subsection 12-401-A-1 (Council resolution), Subsection 12-401-A-4 (application) or Subsection 12-401-A-3 (director action).
- B. DIRECTOR REVIEW. When reviewing a request for a special permit, the Director may:
1. Require that the applicant submit to the Director, of such type and in such form as he may specify, additional information as he may deem relevant to the application such as, but not limited to, an operational statement for the proposed project, floor plans, architectural renderings and technical studies as appropriate.
 2. Require that copies of each application be distributed for comment as the normal routine of business. Those offices, agencies and departments shall consider issues of concern under their jurisdiction and submit written comments, recommendations and requirements to the Director.
 3. Require that the matter be heard before the Director at a departmental hearing in accordance with such procedure as the Director may establish.
 4. Extend, for reasonable periods, the time within which the Director is required to give his decision pursuant to Subsection C below.
- C. DIRECTOR ACTION. After initiation of a proceeding, the Director, based upon such information as may be available to him shall, in writing, grant, grant in modified form, or deny the requested special permit.

Alternatively, the Director, on his or her discretion and for good cause, may refer the special permit to the Planning Commission for approval at a public hearing or stay his or her decision on the special permit until after a Planning Commission or Council decision on a related matter.

- D. NOTICE OF DECISIONS. Notice of the Director's decision shall be given as follows:
1. Denial. A letter shall be mailed to the applicant, property owner and/or authorized agent as shown on the application form.
 2. Grant. For a special permit other than a site plan review, a Notice of Granting shall be mailed pursuant to Subsection 12-401-F-2.
 3. At the discretion of the Director, and with good cause, a notice of granting of a site plan review application may be mailed pursuant to Subsection 12-401-F-2.

- E. EFFECT OF DIRECTOR DECISION. Unless appealed to the Commission pursuant to Section 12-406-F, below, the decision of the Director shall be final and effective for all purposes.
- F. APPEAL TO THE COMMISSION. Pursuant to Section 12-401-H, any interested party may file an appeal of the Director's action to grant, grant in modified form, or deny a special permit. When the appeal is filed, said decision shall be set aside, and a public hearing upon the matter shall be set before the Commission pursuant to Section 12-401-B.
- G. COMMISSION NOTICE AND HEARING. A public hearing before the Fresno City Planning Commission shall be noticed pursuant to Subsection 12-401-C-2 (mailing), and held pursuant to Section 12-401-D.
- H. COMMISSION ACTION. The Commission may grant, grant in modified form, or deny the requested special permit.
- I. EFFECT OF COMMISSION DECISION. Unless the Commission decision is set for hearing to the Council in accordance with Section 12-406-J below, the decision of the Commission shall be final and effective at 12:01 a.m. on the sixteenth day after the date of the decision, subject to writ of administrative mandamus under 1094.6 of the Code of Civil Procedures. Failure by any interested person to petition a Councilmember or the Mayor for said appeal will constitute a failure to exhaust administrative remedies.
- J. COUNCIL REVIEW FOLLOWING COMMISSION DECISION. Within fifteen (15) days of the decision of the Planning Commission, either the Councilmember of the district in which the project is located or the Mayor may, on his or her own initiative, or upon receiving a petition from any interested party, file a letter with the Director to set a hearing in front of Council to consider the Planning Commission decision. When a letter from a Councilmember or Mayor is timely filed with the Director, the decision of the Commission shall be set aside, and a public hearing upon the matter shall be set before the Council pursuant to Section 12-401-B and noticed pursuant to Subsection 12-401-C-2 (mailing) and held pursuant to Section 12-401-D.
- K. COUNCIL ACTION. The Council may grant, grant in modified form, or deny the requested special permit.
- L. EFFECT OF COUNCIL DECISION. The Council decision shall be final and effective and subject to a writ under Code of Civil Procedure Section 1094.6 immediately upon Council action.

**PRELIMINARY REPORT
FOR THE
AMENDMENTS TO THE MERGER NO. 1**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

August 4, 2008

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August 4, 2008

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**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
CONSTITUENT REDEVELOPMENT PLANS
FOR THE
MERGER NO. 1 REDEVELOPMENT PROJECT**

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DEFINITIONS

“1998 Report” means the Report to City Council for the Merger of the Central Area Redevelopment Plans (Merger No. 1) prepared by Keyser Marston Associates, Inc., dated May 1998.

“Agency” means the Fresno Redevelopment Agency or the Redevelopment Agency of the City of Fresno.

“City Council” means the City Council of the City of Fresno.

“Constituent Plans” means the ten Redevelopment Plans for the Redevelopment Project Areas that are within the boundaries of the Merger No. 1 Project Area.

“Constituent Project Areas” means the ten Redevelopment Project Areas that are within the boundaries of Merger No. 1 Project Area.

“CRL” means the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.*

“DOF” means the California Department of Finance.

“DTIS” means the Downtown Transportation and Infrastructure Study prepared by Wilbur Smith Associates, dated October 2007.

“HCD” means the California Department of Housing and Community Development.

“Housing Authority” means the Housing Authority of the City and County of Fresno.

“Planning Commission” means the Planning Commission of the City of Fresno.

“Project Area” means the Merger No. 1 Project Area, also referred to as the “Central Area Merged Redevelopment Project.”

**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
CONSTITUENT REDEVELOPMENT PLANS
FOR THE MERGER NO. 1 REDEVELOPMENT PROJECT**

I. INTRODUCTION

This Preliminary Report for the proposed adoption of amendments to the Constituent Plans for the Merger No. 1 Redevelopment Project has been prepared for the Agency pursuant to Sections 33333.11(e) and 33344.5 of the CRL. As discussed in Section II of this Report, the purpose of the proposed Amendments is to amend specific time and financial limits for some of the Constituent Plans; streamline the redevelopment land use plan of some of the Constituent Plans to remove details and substitute the City's General Plan, community plans, and specific plans as the redevelopment land use plan; and; extend the Agency's ability to use eminent domain to acquire property within the Project Area (excluding properties on which persons lawfully reside) in six of the Constituent Project Areas. These Amendments would enable the Agency to continue implementing its program of blight elimination within the Merger No. 1 Project Area.

As part of the process of amending the Plans, the CRL requires that specific information be provided to taxing agencies and officials ("affected taxing entities"), the California DOF, and the HCD prior to the adoption of the proposed Amendments. Included in this Report are the required contents organized in accordance with Section 33333.11(e) of the CRL.¹ The required contents of the Preliminary Report and the location of each required element in this Report are outlined in Table 1 on the following page.

The Project Area was created in 1998 by the merger of ten (10) redevelopment projects. The ten Constituent Project Areas and the year of adoption for each are as follows:

- Central Business District (CBD) (1961)
- Chinatown Expanded (1965/1986)
- Convention Center (1982)
- Fulton (1998)
- Jefferson (1984)
- Mariposa (1969)
- South Van Ness Industrial (1998)
- West Fresno I (1964)
- West Fresno II (1963)
- West Fresno III (1969)

¹ Per Section 33354.6(a) of the CRL, the Agency is following the same procedures that would be followed for the adoption of a new redevelopment plan. However, this Report does not contain the analysis of urbanization of the Project Area per Section 33344.5(c) because the Constituent Project Areas were determined to be urbanized at the time of their respective adoption. The Agency is not proposing to add new territory to the Project Area and therefore, an analysis of urbanization is not required.

Table 1: Organization and Contents of the Preliminary Report

CRL SECTION NO.	SUBDIVISION	REPORT SECTION
33333.11(e)(1)	A map of the Project Area that identifies the portion, if any, of the Project Area that is no longer blighted, the portion of the Project Area that is blighted, and the portions of the Project Area that contain necessary and essential parcels for the elimination of the remaining blight.	V
33333.11(e)(2)	A description of the remaining blight.	IV
33333.11(e)(3)	A description of the projects or programs proposed to eliminate the remaining blight.	VI
33333.11(e)(4)	A description of how the projects or programs will improve the conditions of blight.	VI
33333.11(e)(5)	The reasons why the projects or programs cannot be completed without extending the time limits on the effectiveness of the plan and receipt of tax increment revenues.	VI
33333.11(e)(6)	The proposed method of financing these projects or programs. This includes the amount of tax increment revenues that is projected to be generated during the period of the extension, including amounts to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to affected taxing entities.	VII
33333.11(e)(7)	An amendment to the Agency's implementation plan that includes but is not limited to, the Agency's housing responsibilities pursuant to Section 33490.	VIII
33333.11(e)(8)	A new neighborhood impact report as required by subdivision (m) of CRL Section 33352.	IX
33333.11(e)(9)	A description of each bond sold by the Agency to finance or refinance the Projects prior to six months before the date of adoption of the proposed Amendments, and listing for each bond of the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.	X

By merging the Constituent Project Areas in 1998, the Agency has had greater flexibility in using its financial resources and has been better able to carry out a program of redevelopment and revitalization in the City's central core area on a comprehensive basis. Redevelopment projects and programs have been some of the key tools for implementing the goals and objectives for the City's core as envisioned in the *Central Area Community Plan*, the boundaries of which are coterminous with the Project Area boundary to a significant degree² and which are defined by the 180 Freeway on the north, the 41 Freeway to the east, and the 99 Freeway to the south and west. One of the constituent plans, the South Van Ness Industrial Area is located within the boundaries of the *Roosevelt Community Plan*, which was adopted in 1992. The *Roosevelt Community Plan* contains 19 subject elements, and continues to provide a strong framework for future planning for the South Van Ness Industrial Area.

² The Project Area differs from the Central Area Community Plan area in that the Lowell neighborhood and the Blackstone/Abby Commercial Corridor are excluded and the South Van Ness Industrial area is included within its boundaries. The Lowell neighborhood is included in the Freeway 99/Golden State Boulevard Project Area. The Blackstone/Abby Commercial Area is included in the Central City Commercial Revitalization Project Area. The South Van Ness Industrial Area is east of the 41 Freeway and is therefore adjacent to but outside of the Central Area.

II. REASONS FOR AMENDING THE REDEVELOPMENT PLANS FOR THE MERGED PROJECT AREA

A. THE PROPOSED AMENDMENTS

The Agency proposes to amend the time and financial limits for several of the Constituent Redevelopment Plans for the Project Area as follows:

- Increase the tax increment limits³ for the CBD, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I and West Fresno II Constituent Plans;
- Increase the time limit on plan effectiveness⁴ for all of the Constituent Plans except Fulton and South Van Ness Industrial;
- Increase the time limit to incur indebtedness⁵ for the Fulton and South Van Ness Industrial Constituent Plans;
- Increase the time limits to receive tax increment and repay bonded indebtedness⁶ for all of the Constituent Plans except Fulton and South Van Ness Industrial;
- Increase the time limit on the Agency's authority to utilize eminent domain in all of the Constituent Plans, except that the Agency will not have the authority to acquire by use of eminent domain any property on which persons lawfully reside in 6 of the Constituent Plans;⁷ and
- Add "Streamlining Amendments", i.e., amend the language of each Plan, except for Chinatown Expanded and Convention Center Area Constituent Plans, which have previously been amended, to ensure that the land use plan is consistent with the General Plan and any applicable specific or community plans, as those plans may be amended from time to time, for the CBD, Jefferson, Mariposa, West Fresno I, West Fresno II, West Fresno III, Fulton and South Van Ness Industrial areas.

The existing and proposed new time and financial limits are summarized in Figure 1.

³ The Fulton and South Van Ness Industrial areas are not required to have tax increment limits. The Agency is not proposing to increase the tax increment limit for West Fresno III.

⁴ The Fulton and South Van Ness Industrial areas are not eligible for increases in Plan duration.

⁵ Per the provisions of Section 33333.6(c)(2)(B) of the CRL, the time limit for establishing debt has been eliminated in all of the plans established prior to January 1, 1994.

⁶ The Fulton and South Van Ness Industrial areas are not eligible for increases in the time limit to receive tax increment and repay indebtedness.

⁷ In the Convention Center, Jefferson, and Mariposa areas, the ability to acquire properties by use of eminent domain will be limited to the specific properties identified in the Amendment.

**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Use Eminent Domain		Tax Increment Limit		Plan Expiration Date		Time Limit to Receive Tax Increment/ Repay Debt	
	Existing	Proposed ¹	Existing	Proposed	Existing ²	Proposed	Existing	Proposed
Central Business District (3/16/1961)	8/6/2010	+12 years ⁴	\$16 million	\$128 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Original (Former WFRP) (7/22/1965)	8/6/2010	+12 years	See note 3		1/1/2012	1/1/2022	1/1/2022	1/1/2032
Chinatown Expanded (01/28/1986)	8/6/2010	+12 years	\$32 million	\$128 million	1/28/2028	1/28/2038	1/28/2038	1/28/2048
Convention Center (1/12/1982)	8/6/2010	+12 years ⁶	\$51 million	\$357 million	1/12/2025	1/12/2035	1/13/2035	1/12/2045
	11/24/2017 ⁷	No Change						
Fulton (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
Jefferson (12/18/1984)	1/18/2009	+12 years ⁵	\$235 million	\$470 million	12/18/2027	12/18/2037	12/18/2037	12/18/2047
Mariposa (1/14/1969)	8/6/2010	+12 years ⁵	\$50 million	\$150 million	1/14/2012	1/14/2022	1/14/2022	1/14/2032
South Van Ness Industrial (6/30/1998)	8/6/2010	+12 years ⁴	Not Required	NA	7/6/2029	No Change	7/6/2044	No Change
West Fresno I (10/1/1964)	8/6/2010	+12 years	\$9 million	\$27 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno II (12/19/1963)	8/6/2010	+12 years	\$60 million	\$120 million	1/1/2012	1/1/2022	1/1/2022	1/1/2032
West Fresno III (1/14/1969)	8/6/2010	+12 years	\$ 8 million	No Change	1/14/2009	1/14/2019	1/15/2019	1/14/2029

NOTES

¹New time limit will be 12 years from effective date of ordinance adopting the Amendment.

²Includes ERAF extensions.

³Tax increment limit is for Chinatown Original and Chinatown Expanded combined.

⁴Legally-occupied housing units will not be subject to acquisition by eminent domain.

⁵Applicable to specific properties only. Legally-occupied housing units will not be subject to acquisition by eminent domain.

⁶Applicable to specific properties only. 12 year extension for specific properties only. See Proposed Acquisition Map Update for Details.

⁷Applicable to specific properties where the 12 year extension was adopted in 2005. See Proposed Acquisition Map Update for Details.

**FIGURE 1
EXISTING AND PROPOSED TIME AND FINANCIAL LIMITS
MERGER NO. 1 - FRESNO REDEVELOPMENT AGENCY**

Project Area (Date of Adoption)	Time Limit to Establish Debt		Bond Debt Limit		Land Use/Other Amendments
	Existing	Proposed	Existing	Proposed	
Central Business District (3/16/1961)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
Chinatown Original (Former WFRP) (7/22/1965)	Eliminated	NA	NA	NA	
Chinatown Expanded (01/28/1986)	Eliminated	NA	\$16 million	No Change	Revise acquisition map to include balance of Project Area.
Convention Center (1/12/1982)	Eliminated	NA	\$21 million	No Change	Revise acquisition map.
Fulton (6/30/1998)	7/6/2018	7/6/2028	\$32 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
Jefferson (12/18/1984)	Eliminated	NA	\$99 million	No Change	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
Mariposa (1/14/1969)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan; revise acquisition map.
South Van Ness Industrial (6/30/1998)	7/6/2018	7/6/2028	\$111 million	No Change	Streamline land use provisions to conform to General Plan and community plan.
West Fresno I (10/1/1964)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno II (12/19/1963)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.
West Fresno III (1/14/1969)	Eliminated	NA	NA	NA	Streamline land use provisions to conform to General Plan and community plan.

B. AGENCY GOALS AND OBJECTIVES

The general goals of the Agency for the Merger No. 1 Project Area include:

- The elimination and prevention of the spread of blight and deterioration throughout the project areas.
- The promotion of new and continuing private sector and government agency investment within the project areas to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the project areas.
- The expansion and improvement of the community's supply of housing (inside and outside of the Project Area) including opportunities for low and moderate income families and households.
- The elimination or amelioration of certain deficiencies such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public improvements, facilities and utilities deficiencies adversely affecting the project areas.⁸

C. CONTINUED NEED FOR AGENCY ASSISTANCE IN REDEVELOPING THE MERGED PROJECT AREA

Beginning in the 1960s with the adoption of the original urban renewal projects in the downtown, the Agency has worked cooperatively with local, state and federal governments and the private sector to redevelop key properties in the Project Area. It was not until the creation of the new Fresno Redevelopment Agency in 1997 and the merger of the Constituent Project Areas in 1998, however, that the Agency was able to begin its focused effort to implement the comprehensive vision for revitalization encompassed in the *Central Area Community Plan*, the *Roosevelt Community Plan* and the Constituent Plans. These efforts have also been supported by the creation of *Vision 2010* in March 2002, a vision document for the downtown stakeholders to bring together a variety of development projects and revitalization efforts into a clear visual blueprint to guide resources and development in downtown. The area addressed in *Vision 2010*

⁸ *Five-Year AB 1290 Implementation Plans 2005 – 2010 (Fresno Air Terminal, Merger 1 and Merger 2):* Redevelopment Agency of the City of Fresno, pages 4-6.

is bounded by the 99, 41, and 180 Freeways and thus represents the majority of the Merger No. 1 Project Area. Further supporting these efforts are the Federal Empowerment Zone and the State Enterprise Zone that both encompass the Project Area and both of which offer incentives to the private sector to invest in redeveloping the area and creating jobs and economic development in the process. Working cooperatively with the local, state and federal government and other agencies, the Agency has been a key driving force and facilitator in revitalization efforts.

One of the key indicators of the importance of Agency participation in the redevelopment of the Project Area is the impact that such participation has had on building activity. Building permit data was obtained from the City and reviewed to identify the number of new construction, rehabilitation and additions/alteration projects (as represented by construction permits) and total value of permits⁹ that have been issued for major non-residential construction and development between 1996 and April 2008.

Table 2: Summary of Building Permit Activity 1996 – April 2008

Land Use	No. of Projects (Permits)	Total Permit Value	Value of Agency-Assisted Projects	Agency-Assisted as Percent of Total Permit Value
Office & Commercial	268	\$149,323,570	\$120,162,954	80%
Industrial	125	\$31,711,059	\$15,647,086	49%
Public/Quasi-Public	77	\$50,843,953	\$33,077,114	65%
Vacant*	30	\$4,078,779	\$0	-
Total	500	\$235,957,361	\$168,887,154	72%

Vacant represents properties for which permit(s) have been issued, but which remain vacant according to the City's land use data base.

Source: City of Fresno, Building and Safety Division

As shown on Table 2, a total of 500 projects were identified with a total permit value of just under \$236 million. These data would indicate that there has been a significant amount of redevelopment that has occurred in the Project Area. However, a closer examination of the data revealed that many of these projects were assisted by the Agency. Several of the projects

⁹ For purposes of this analysis, where multiple permits were issued at the same address, the permits were counted as one permit and the value of the separate permits were combined into one total permit value.

were major development projects for which the Agency played a key role, such as assembling and clearing the site, or providing financial or other assistance to a private developer, the City or a state or federal entity. These development projects included:

- Chukchansi Park (Grizzlies Stadium)
- Guarantee Building Rehabilitation and construction of a 6-level parking garage for the IRS/INS
- IRS Compliance Center
- 1260 Fulton Mall office remodel and façade improvement
- Holiday Inn Hotel rehabilitation
- Convention Center parking garage
- Tower at the Convention Center Court
- Fifth District Courthouse
- Eaton Park Amphitheater
- Regional Medical Center expansion and parking structure
- Convention Center Exhibit Hall
- Civic Center Square office building and parking garage
- Foundry Park redevelopment projects
- IRS Storage Facility
- Vagabond Lofts Mixed-Use
- H Street Lofts

As shown on Table 2, the Agency played a role in projects representing 72 percent of the permit value. Based on development within the Project Area in the past 12 years and the level of Agency participation, the Agency will need to continue to assist the private sector to facilitate development and eliminate blight.

III. PROJECT AREA DESCRIPTION

A. BOUNDARIES AND LAND USE

The Project Area is generally bounded by Divisadero Street and the 180 Freeway to the north, the 41 Freeway, East Street and the BNSF Railway right-of-way to the east, and Highway 99 to the west/southwest (see Figure 2). The Project Area includes the majority of the City's core or "Central Area" as defined in the *Central Area Community Plan* adopted in 1989. One of the constituent plans, the South Van Ness Industrial Area is located within the boundaries of the *Roosevelt Community Plan*, which was adopted in 1992.

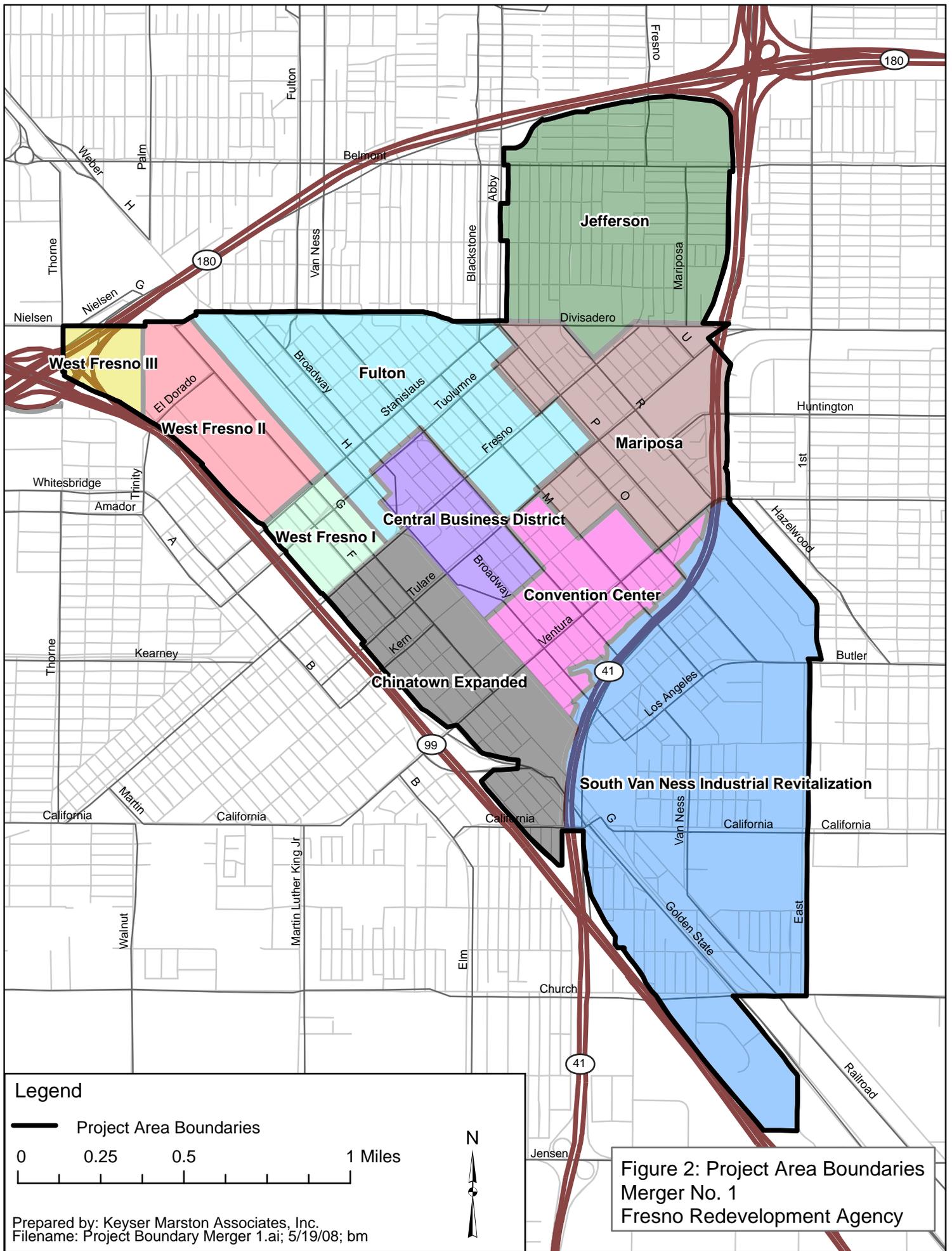
The Project Area includes a mix of land uses, though the predominant land uses (as measured by acreage) are industrial, public/quasi-public and commercial retail uses (see Figure 3). The Project Area includes the Regional Medical Center, which serves the entire Central San Joaquin Valley Region on its 58-acre campus, and many civic and governmental institutions. The City is not only the Fresno County seat, but is also the location of a federal courthouse and the Central California field offices for many federal and state government agencies. Most of the retail, office and public/quasi-public uses are located in the Fulton, Mariposa, CBD and Convention Center areas. The majority of industrial uses are located in the West Fresno II, West Fresno III and South Van Ness Industrial Project Areas. A significant portion (15 percent) of Project Area acreage is vacant land, located primarily in the Chinatown Expanded and in the West Fresno I, II, and III Project Areas.

Table 3: Summary of Land Uses

	Parcels	% of Total	Acres	% of Total
Low Density Residential	342	12%	48.1	4%
High Density Residential	730	26%	110.3	8%
Commercial Retail	536	19%	222.5	17%
Commercial Office	146	5%	60.9	5%
Industrial	506	18%	443.5	33%
Public/Quasi-public	190	7%	241.2	18%
Open Space/Recreation	4	0%	1.4	0%
Vacant Property	401	14%	202.6	15%
TOTALS	2,855	100%	1320.5	100%

Acreage or percentages may not add due to rounding. Source: City of Fresno

The majority of residential units in the Project Area are located in the Jefferson and Mariposa areas, which are the two Constituent Project Areas that has significant areas planned for residential uses. The Chinatown Expanded, Convention Center and Fulton Areas include areas planned for mixed residential uses or allow such uses. The Chinatown Expanded, Convention



Legend

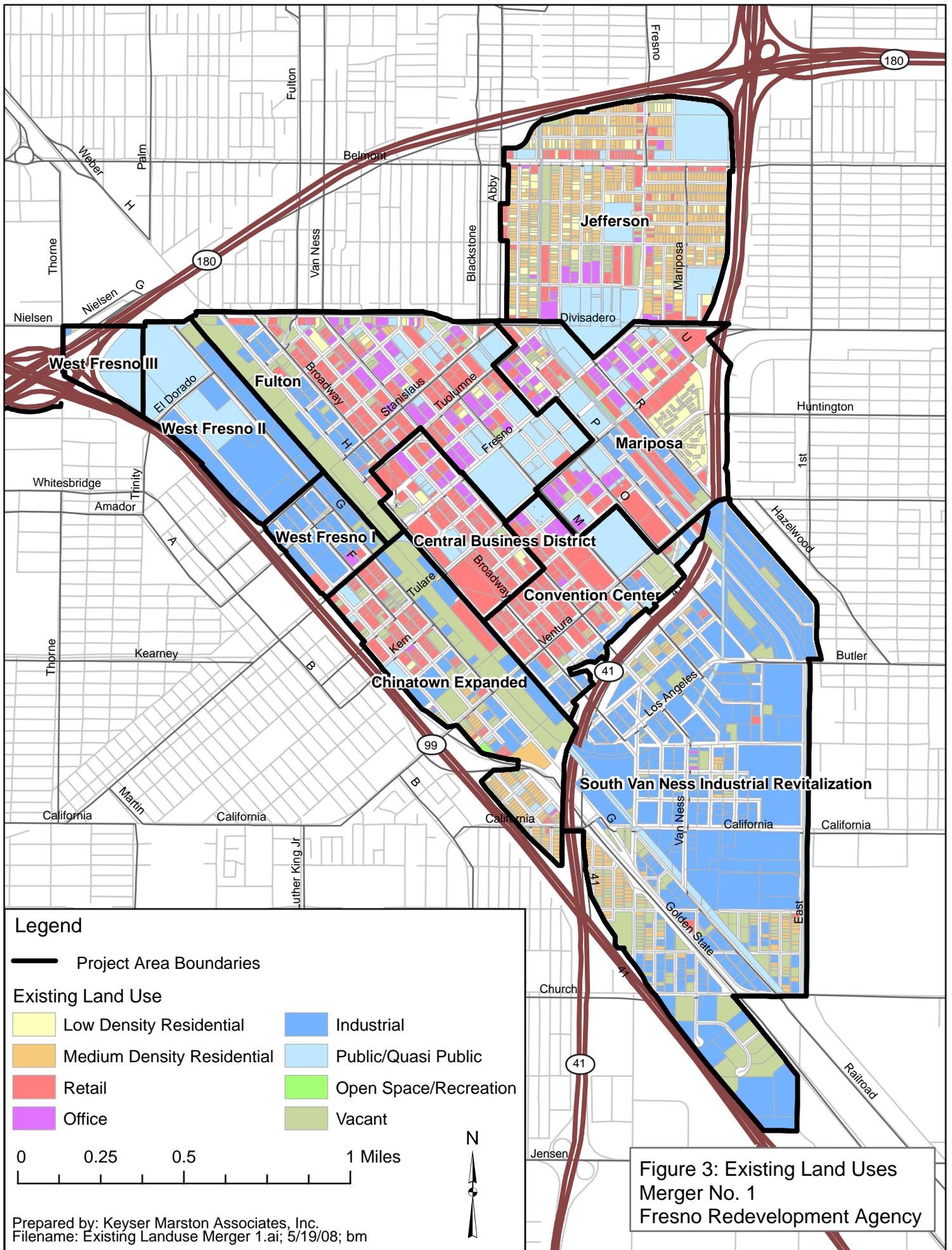
— Project Area Boundaries

0 0.25 0.5 1 Miles



Prepared by: Keyser Marston Associates, Inc.
 Filename: Project Boundary Merger 1.ai; 5/19/08; bm

**Figure 2: Project Area Boundaries
 Merger No. 1
 Fresno Redevelopment Agency**



Prepared by: Keyser Marston Associates, Inc.
 Filename: Existing Landuse Merger 1.ai; 5/19/08; bm

Center, Fulton and South Van Ness Industrial areas also contain non-conforming residential uses that can be maintained, but such residential uses cannot be expanded.

B. DEMOGRAPHICS AND GENERAL SOCIAL AND ECONOMIC CONDITIONS

A review of demographic data for the Project Area reveals that the 2007 estimated population is 10,671 persons in 2,215 households with an average household size of 3.26 persons (Table 4). As shown in Table 5, median household income and per capita income for the Project Area are less than half of the median income levels for the City of Fresno and Fresno County. While the overall population in the City and the County increased dramatically from 1990 to 2007 (by 32 percent and 35 percent, respectively), the Project Area experience a slight population decline by 3 percent.

Table 4: Population Characteristics

	Population			No. of Households	Average Household Size	Median Age
	1990	2007 (Est.)	Percent Change			
Merger No. 1 Project Area	10,974	10,671	-3%	4,215	3.26	28.78
City of Fresno	356,035	470,179	32%	151,560	3.04	29.67
Fresno County	667,588	903,351	35%	281,039	3.15	30.73

Source: Claritas

In the Project Area, 48 percent of families have incomes below the poverty level, versus only 20 percent of families in the City and 18 percent in Fresno County. The Project Area also has a much higher percentage of persons over the age of 25 with less than a high school diploma or equivalent, at 57 percent versus 30 percent for the City and 32 percent for Fresno County.

Table 5: Income and Educational Attainment

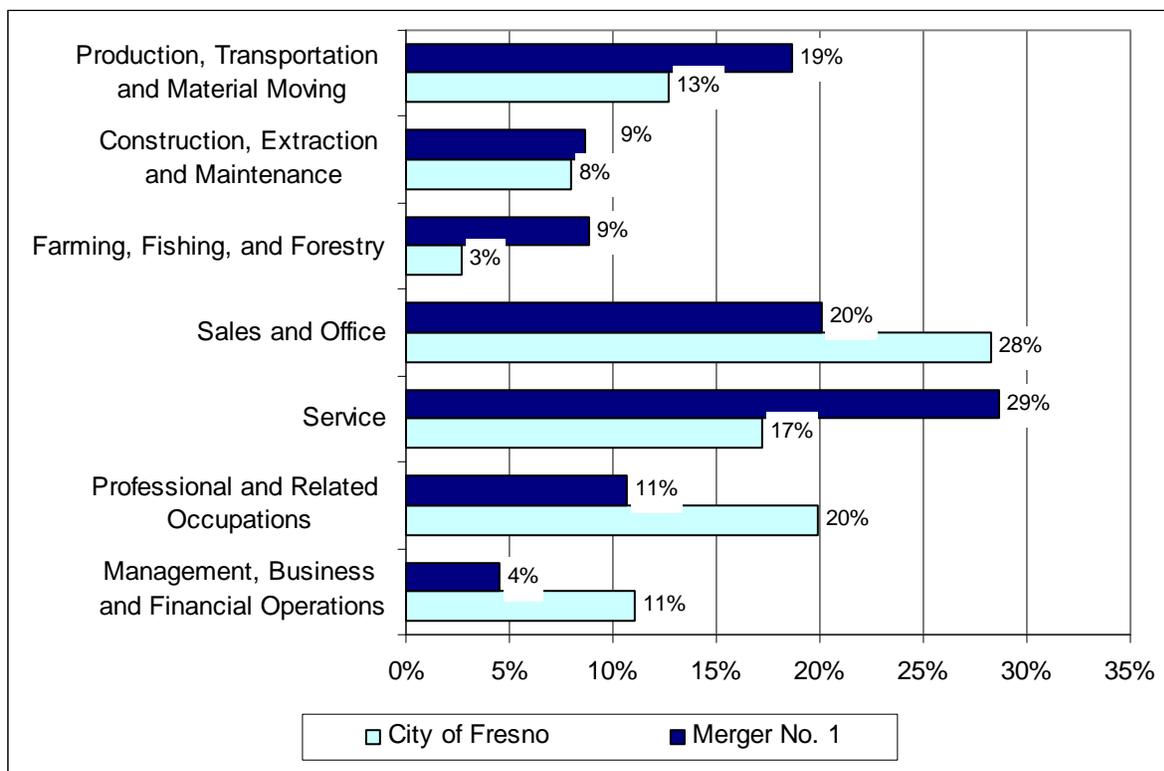
	Median Household Income	Per Capita Income	Percent of Families w/ Income Below Poverty Level	Pop. 16+ Percent Unemployed	Pop. 25+ With Less Than High School Diploma or Equivalent
Merger No. 1 Project Area	\$17,648	\$6,841	48%	9.5%	57%
City of Fresno	\$39,330	\$17,591	20%	6.6%	30%
Fresno County	\$42,885	\$18,472	18%	7.0%	32%

Source: Claritas

The majority of workers in the Project Area are employed in the Service Sector (29 percent), Sales and Office Sector (20 percent), and Production, Transportation and Materials Moving

Sector (19 percent). These three employment sectors account for 68 percent of employment in the Project Area, whereas they account for only 58 percent in the City overall. The Service Sector and the Production, Transportation and Material Moving Sectors both tend to have jobs with lower wages. While direct employment in the Farming, Fishing and Forestry Sector is a relatively low 9 percent in the Project Area, it is still three times the percentage of employment in the Farming, Fishing and Forestry Sector for the City overall. Further, agriculture continues to be a major component of the industry in the Fresno area. One estimate indicates that one in three jobs are related to agriculture, as a majority of the produce in America grown in the Central Valley and Fresno County is the number one agricultural county in the United States.¹⁰ In the industry sectors that tend to have higher wage jobs, i.e. Management, Business and Financial Operations, and Professional and Related Occupations, the Project Area accounts for 15 percent of employment versus 31 percent Citywide (see Figure 4). These data, in conjunction with the high percentage of families below the poverty level and lower levels of educational attainment and income are all indicative of the relatively low income levels in the Project Area.

Figure 4: Employment by Sector



Source: Claritas

¹⁰ Source: City-data.com. <http://www.city-data.com/us-cities/The-West/Fresno-Economy.html>.

Home ownership levels within the Project Area are low relative to the City and the County. Of the 2,215 occupied housing units, 17 percent are owner occupied, versus home ownership levels of 51 percent of the residential units in the City and 57 percent in the County. These data indicate that there are a relatively high number of renters in the Project Area. The estimated median value of the owner-occupied units was low in the Project Area, at \$131,289 relative to the City and the County, at \$247,922 and \$266,317, respectively (see Table 6).

Table 6: Housing Unit Tenure and Estimated Median Value

	Total Occupied Housing Units	Renter- Occupied Units	Owner- Occupied Units	Percent Renter- Occupied Units	Percent Owner- Occupied Units	Owner- Occupied Median Value
Merger No. 1 Project Area	2,215	1,845	370	83%	17%	\$131,289
City of Fresno	151,560	73,516	78,044	49%	51%	\$247,922
Fresno County	281,039	119,942	161,097	43%	57%	\$266,317

Source: Claritas

Given the strong link between home ownership, asset building and household wealth,¹¹ these data, in conjunction with the low income levels, suggest that the ability of residents in the Project Area to purchase and/or reinvest in properties to alleviate blighting conditions is limited.

C. NUISANCES AND EVIDENCE OF DISINVESTMENT AND DISUSE

Despite the ongoing investment by the Agency, other government entities and the private sector, the blighting conditions and disinvestment that occurred over a period of years beginning prior to the 1960s has not yet been completely reversed and a significant portion of the Project Area remains blighted. In addition to a high number of vacant buildings and vacant lots, there are also a number of conditions prevalent in the Project Area that are indicative of the overall blighting conditions in the Project Area. While these conditions are not considered blighting conditions in the CRL, they are commonly accepted as conditions that contribute to the general blight and unattractive appearance of communities and act as deterrents to investment in properties. These conditions include boarded up doors and windows, graffiti, weeds, litter, abandoned cars, dumping, and unpaved lots. While a few scattered and isolated incidents of these conditions may be commonly found in many stable communities, a large number of incidents of these types of conditions contribute to the blighted condition of a community. In the Project Area, these conditions were noted in the parcel-by-parcel survey of the Project Area

¹¹ There are numerous reports and articles that demonstrate the role and importance of asset accumulation in alleviating poverty and encouraging long-term planning and investment. For example, in 2002, the Chairman of the Federal Reserve Board stated that home ownership is one of the three principal means for household asset accumulation. Refer to Appendix 1 for a list of articles and reports referenced.

conducted in February 2008 (described in Section IV and Appendix 2). In total, at least 48 percent of the parcels in the Project Area were affected by at least one of these conditions (see Table 7).

Table 7: Nuisances and Indicators of Disinvestment/Disuse

Condition	No. of Parcels	Percent of Parcels
Vacant Lots	501	18%
Boarded Windows	82	3%
Boarded Entry	29	1%
Litter	851	30%
Debris	166	6%
Dumping	59	2%
Graffiti	214	8%
Weeds	106	4%
Exposed Dirt/Unpaved Lots	487	17%
Abandoned Cars	9	0.3%
Homeless Encampments/Loitering	11	0.4%
Combined Total	1,359	48%

Source: 2008 Field Survey

In addition, the City is struggling to address a significant degree of homelessness that disproportionately affects the Project Area. The most visible homeless encampments in the City are located within the Project Area under Highway 41 near G Street in the Chinatown Expanded area. A large number of homeless persons were also observed in the area during the field survey. At the present time, the City does not have the resources to provide adequate shelter and food for the homeless. There are also private efforts to house and/or feed the homeless in the downtown area, including Poverello House and the Fresno Rescue Mission. The City has had to resort to providing portable toilets and a 24-hour security guard to serve the hundreds of people living under the overpasses or in the vicinity. These conditions are also deterrents to private investment in the area.

The locations of the various nuisance conditions observed during the field survey and homeless encampments are shown on Figure 5.

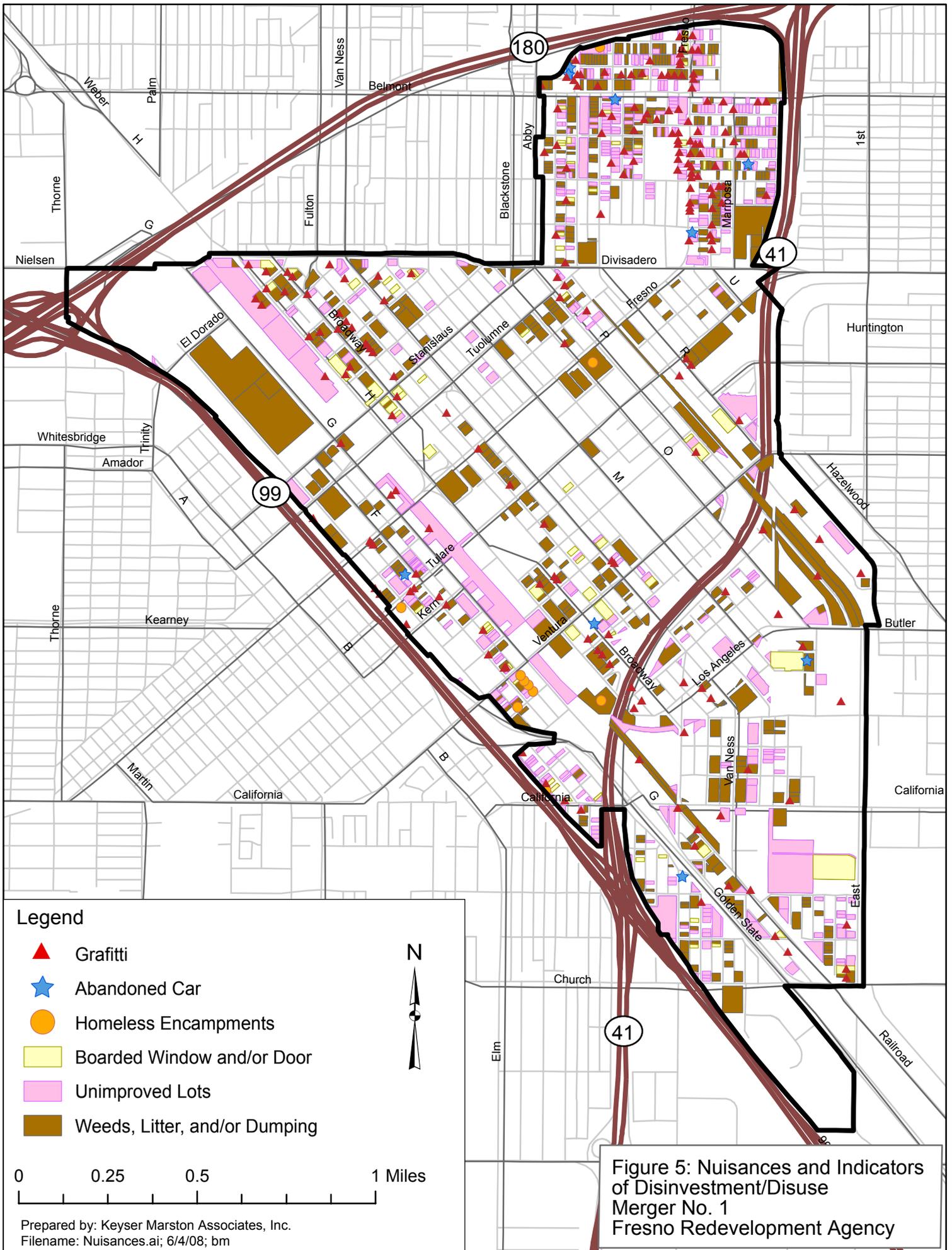


Figure 5: Nuisances and Indicators of Disinvestment/Disuse
 Merger No. 1
 Fresno Redevelopment Agency

D. AGENCY ACCOMPLISHMENTS

In March of 2002, *Vision 2010*, a vision document for the downtown was completed. *Vision 2010* was a cooperative effort involving the Agency and downtown stakeholders to bring together a variety of development projects and revitalization efforts into a clear visual blueprint to guide resources and development in downtown. The area addressed in *Vision 2010* is bounded by the 99, 41 and 180 Freeways and thus represents the majority of the Merger No. 1 Project Area. Major projects that have been completed in the Project Area include:

- Ongoing development and expansion of the Community Regional Medical Center, a 58-acre multi-phased medical campus development, including a 340,000-square foot trauma and critical care center, new three-story parking garage, a 40,000-square foot power plant, remodel of the former Cornerstone Church into medical offices, and renovation of the historic "Eaton Flats" into office space. The \$250 million center offers a full-service emergency department, state-of-the-art radiology and cardiology departments, inpatient and outpatient surgery, dialysis, rehabilitation and cancer treatments.
- Construction of the new \$30 million, 82,000 square foot state-of-the-art Center for Medical Education and Research, which is the home of the UCSF Medical Education Program. The new 3-story facility will serve as the hub of medical education and research for the entire Central Valley. The facility has approximately 180 resident physicians in training and graduates about 60 per year, with over one-third remaining to practice in the Valley.
- Construction of Chukchansi Park, a new 12,500-seat stadium that is the home field for the Fresno Grizzlies AAA baseball team and Fresno Fuego soccer team. The facility is also a venue for concerts, international soccer meets, high school football and other community events. The \$48 million stadium hosts an estimated 900,000 patrons a year and employs 41 full-time employees and 475 seasonal employees.
- Construction of a new eight-story, 400,000 square foot Federal Courthouse. The \$130 million facility consists of a total of fourteen District, Magistrate, Bankruptcy and Special Proceedings courtrooms as well as office space for the courts, US Attorneys, US Marshals, and Probation.
- Construction of a new four-story, (\$26 million) Convention Center Parking Garage, which accommodates 1,575 parking spaces. .
- Construction of a new \$48 million, 11-story Tower at the Convention Center and seven-story, 900 space parking garage.

- Construction of the \$18 million, 107,200 square foot Aardex Building with 120 parking spaces.
- The \$35.6 million Civic Center Square project that provides over 225,000 square feet of Class A office and retail space and that is located in a bustling six-block development in the hub of Fresno's downtown business district.
- The renovation of the Guarantee Building that includes 89,000 square feet of office space and an adjacent six-story 624 space parking garage with an estimated value of \$18 million.
- Construction of the \$23 million State Fifth District Court of Appeals building.
- Construction of the six-story, \$35 million IRS Compliance Center that includes 178,000 square feet of office space and an 800-space parking garage.
- The \$2.5 million rehabilitation of the 103-year-old Hobbs Parsons Building that will serve as the new headquarters of the Fresno Fire Department. A portion of the building is set aside for use as a Fire Department Museum.
- Construction of the \$10 million Vagabond Lofts mixed-use project combining 38 residences with small retail shops.
- Construction of the \$3 million H Street Lofts provided 26 residences near the Vagabond Lofts project.
- A 26,000 square foot banquet facility that was renovated as the "M" Street Civil Courthouse. The \$3 million courthouse accommodates five courtrooms and on-site parking.
- The \$10 million renovation of the Santa Fe Depot, including the creation of an additional 150 spaces of surface parking.
- Streetscape Improvements and Infrastructure – The Agency's program has provided for street and underground utilities improvements in support of the Chukchansi Park, the Regional Medical Center, the new Federal Courthouse, the Uptown Area, Chinatown, Old Armenian Town Project, etc. This has included improvements to downtown entryways with landscaped median islands, street frontages, street lighting, decorative street paving, decorative wrought iron fencing, and other amenities to improve the downtown for visitors, employees, and residents.

The Agency has played a critical role in many of the projects, including site assembly, financial assistance, and providing on- and off-site public improvements. While the Agency has made significant progress in achieving the goals of the Redevelopment Plan in alleviating blight, there are areas where significant blight remains. Portions of the Project Area are negatively impacted by blighting conditions such as deteriorated and dilapidated buildings, buildings that have been abandoned or vacant for years, an excessive number of vacant lots, depreciated property values, low lease rates, an excess of adult uses, and a high crime rate.

IV. SIGNIFICANT REMAINING BLIGHT

A. AMENDMENT PROCEDURES AND REQUIRED FINDINGS

Section 33457.1 of the CRL provides that “[t]o the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to the redevelopment plan shall contain the findings required by Section 33367...” Therefore, because the Agency is not adding territory or adopting a new project area, the Agency will follow applicable provisions, to the extent warranted, of CRL Sections 33320.1, *et seq.* and 33450, *et seq.*, pursuant to Section 33457.1. Specifically, the Agency will not have to adopt a survey area or amend the Preliminary Plan or declare a base year, which are required actions for the adoption of a new project area or the addition of territory.

1. Requirements to Extend Plan Duration, Amend Tax Increment Limit, or Extend the Time Limits to Establish Indebtedness Contained in CRL Section 33354.6

Per Section 33354.6 of the CRL, when a redevelopment agency proposes to amend a redevelopment plan that utilizes tax increment financing to increase either the limitation on the number of dollars to be allocated to the agency (the tax increment limit) or the time limit on the establishing of loans, advances, and indebtedness, or lengthen the period during which the redevelopment plan is effective, the agency must follow the same procedure, and the legislative body is subject to the same restrictions as provided for Article 4 of the CRL for the adoption of a redevelopment plan.

In addition, per Section 33354.6(b), if the agency proposes to increase the tax increment limit, the agency must describe and identify, in the report to the legislative body, the remaining blight within the project area; identify the portion, if any, that is no longer blighted; the projects that are required to be completed to eradicate the remaining blight and the relationship between the costs of those projects and the amount of increase in the number of dollars to allocated to the agency.

Therefore, because the Agency desires to increase the tax increment limits, extend plan duration, and extend the time limits for the establishment of debt for the Constituent Plans as described in Section II, the information required by Section 33354.6(b) is contained herein.

2. Requirements to Extend Plan Duration, and Time Limit for the Receipt of Tax Increment and the Repayment of Bonded Indebtedness Contained in CRL Section 33333.11.

Per CRL Section 33333.10, for redevelopment plans adopted on or before December 31, 1993, a redevelopment agency may amend a redevelopment plan to extend the time limit on the effectiveness of the plan and amendment the time limit on the payment of indebtedness and receipt of property taxes for up to ten additional years, but only after the agency finds, based on substantial evidence, the both of the following conditions exist:

- (1) Significant blight remains in the project area.
- (2) This blight cannot be eliminated without extending the effectiveness of the plan and the receipt of property taxes.

Per Section 33333.10(d), significant blight can exist in a project area even though blight is not prevalent in the project area. The report to the legislative body is required to identify on a map the portion of the project area in which significant blight remains.

A description of the remaining blighting conditions, along with the required map described above is included herein. The reasons why the blighting conditions cannot be alleviated without extending the effectiveness of the plan and the time limit for the receipt of tax increment and payment of indebtedness are described in Section VI of this Report.

3. Requirements to Extend the Agency's Authority to Utilize Eminent Domain Contained in CRL Section 33333.2(a)(4).

As required by CRL Section 33333.4 (a)(4), every redevelopment plan that provides eminent domain authority must include a time limit not to exceed 12 years. As shown on Figure 1, the Constituent Plans all have provisions for the use of eminent domain with time limits that vary. As provided by law, this limit may be extended by 12 years by amendment of the Constituent Plans after the Agency finds, based on substantial evidence, both of the following:

- That significant blight remains within the Project Area; and
- That this blight cannot be eliminated without the use of eminent domain.

The descriptions of the significant remaining blighting conditions are contained in this Section of the Report.

B. DEFINITIONS OF REMAINING BLIGHT

Effective January 1, 2007, the definitions of blight contained in Section 33031 of the CRL were changed and are now different from those in effect at the time of the merger of the Constituent Plans in 1998. Both the old and new definitions are summarized in Table 8 on the following pages.

Common practice is to demonstrate significant remaining blight based upon both definitions of blight currently effective and those that were in effect at the time of adoption of a redevelopment plan. Therefore, in addition to the current blight standards, this Report addresses those blighting conditions that were identified in the 1998 Report that still remain applicable to the Project Area.

To assess the remaining blighting conditions in the Project Area, a survey of the Project Area was completed in February 2008. Data regarding building and parcel conditions were collected on a parcel-by-parcel basis based upon visual observations from the public rights of way. Information collected included general condition of the building, and observations regarding vacant lots, vacant and/or abandoned buildings, unreinforced masonry buildings, and nuisances that affect the health and safety and quality of life for residents such as dumping, litter, debris, and graffiti. These data were collected by trained field surveyors, all of whom have training and/or education in architecture, construction management or planning. A more detailed summary of the survey methodology is included as Appendix 2.

In addition, secondary sources were used to identify both physical and economic blighting conditions, including Fresno County Assessor data (obtained through Metroscan), real estate databases (CoStar and Loopnet.com) and real estate market reports prepared by real estate brokerage firms. The City of Fresno provided building permit data, crime data, code violation data, and other basic property and land use information.

Table 8: Definitions of Blight

1994-2006 Blight Definitions		Current Blight Definitions (as of 1/1/07)	
CRL 33031(a) - Physical Blighting Characteristics			
(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or similar factors.	(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by <u>serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards,</u> and faulty or inadequate water or sewer utilities.
(2)	Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate building size given present standards and market conditions, lack of parking, or other similar factors.	(2)	<u>Conditions</u> that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, <u>defective or obsolete</u> design or construction given <u>the present general plan, zoning, or other development standards.</u>
(3)	Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the project area.	(3)	Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
(4)	The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.	(4)	The existence of subdivided lots that are in multiple ownership <u>and whose physical development has been impaired by their</u> irregular shapes and inadequate sizes, <u>given present general plan and zoning standards and present market conditions.</u>
CRL 33031(b) - Economic Blighting Characteristics			
(1)	Depreciated or stagnant property values or impaired investments, including but not necessarily limited to, those properties containing hazardous wastes that require the use of agency authority as specified in Article 12.5 (commencing with Section 33459).	(1)	Depreciated or stagnant property values.
		(2)	Impaired <u>property values, due in significant part, to</u> hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).
(2)	Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities.	(3)	Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(3)	A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.	(4)	A <u>serious</u> lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(4)	Residential overcrowding or an excess of bars, liquor stores, or businesses that cater exclusively to adults that has led to problems of public safety and welfare.	(5)	<u>Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.</u>
		(6)	An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.
(5)	A high crime rate that constitutes a serious threat to the public safety and welfare.	(7)	A high crime rate that constitutes a serious threat to the public safety and welfare.

C. SIGNIFICANT REMAINING PHYSICAL BLIGHTING CONDITIONS

1. Buildings in Which it is Unsafe or Unhealthy for Persons to Live or Work
 - a. Serious Deterioration and Dilapidation

The Project Area has a number of buildings in which it is unsafe or unhealthy for persons to live or work. In the 1998 Report, a sample survey of 50 percent of the buildings in the Project Area (excluding West Fresno I, West Fresno II, West Fresno III, Fulton and the South Van Ness Industrial areas)¹² revealed high percentages of deteriorated and dilapidated buildings in the Mariposa, Convention Center, Jefferson, and Chinatown areas. Similarly, a survey of all 443 buildings (as of 1998) in the South Van Ness Industrial area revealed that 18.7 percent of the buildings were deteriorated or dilapidated.

Table 9: Deteriorated and Dilapidated Buildings (1998 Survey)

Constituent Project Area	Percent of Deteriorated and Dilapidated Buildings
Mariposa	31.9%
Convention Center	32.7%
Jefferson	45.5%
Chinatown Expanded	40.0%
South Van Ness Industrial	18.7%

Survey results were based upon a 50% survey of the Mariposa, Convention Center, Jefferson and Chinatown expanded areas and a 100% survey of the South Van Ness Industrial Area.

Source: 1998 Report to City Council on Merger No. 1 and 1998 Preliminary Report for the South Van Ness Industrial Redevelopment Project.

While conditions have improved in the Project Area since 1998, these blighting conditions have not been totally alleviated. As described in the following subsections in this Report, there are still a significant number of buildings that are either deteriorated or dilapidated. In addition, while there has been a significant amount of building permit activity, which would suggest that there has been a great deal of blight elimination, a major portion of that building permit valuation has been for projects in which the Agency played some role (see Section II of this Report). As described below, the field survey conducted in 2008 indicates that there are still a significant number of deteriorated and dilapidated buildings in the Project Area.

¹² West Fresno I, II and III were excluded because they were largely vacant land. Conditions in Fulton and Van Ness were evaluated in separate reports. CBD was not surveyed.

In the field survey, each building was given one of four possible ratings: “good,” “deferred maintenance,” “deteriorated,” or “dilapidated.” Buildings given a good rating were those that were in good condition, with no evidence of structural defects and that were well maintained. Ratings of deferred maintenance were given to buildings that would require minor repairs. Buildings in need of paint or that had minor deterioration around doors and windows, or other repairs that would normally be required over the useful life of a building would fall into this category. Buildings rated as deteriorated were those requiring major repair or replacement of major building components. These would include buildings with deteriorated or sagging roofs or walls, cracks in the building foundation or structure, or other major repairs. These conditions can be: 1) evidence of possible structural failures; 2) locations where intrusion by the elements (especially rainwater) could deteriorate the building even faster; 3) locations that allow or support the intrusion of vermin; or 4) locations where unsafe/unhealthy conditions such as mold or wood rot would occur. Dilapidated structures were those which had multiple major building components in need of repair or replacement to such an extent that the building could not be rendered safe without major rehabilitation or investment.

Results of the field survey indicate that 20 percent of the buildings were deteriorated and 14 percent of the buildings were dilapidated. Overall, 34 percent of the buildings were deteriorated or dilapidated. The locations of the deteriorated and dilapidated buildings are shown on Figure 6.

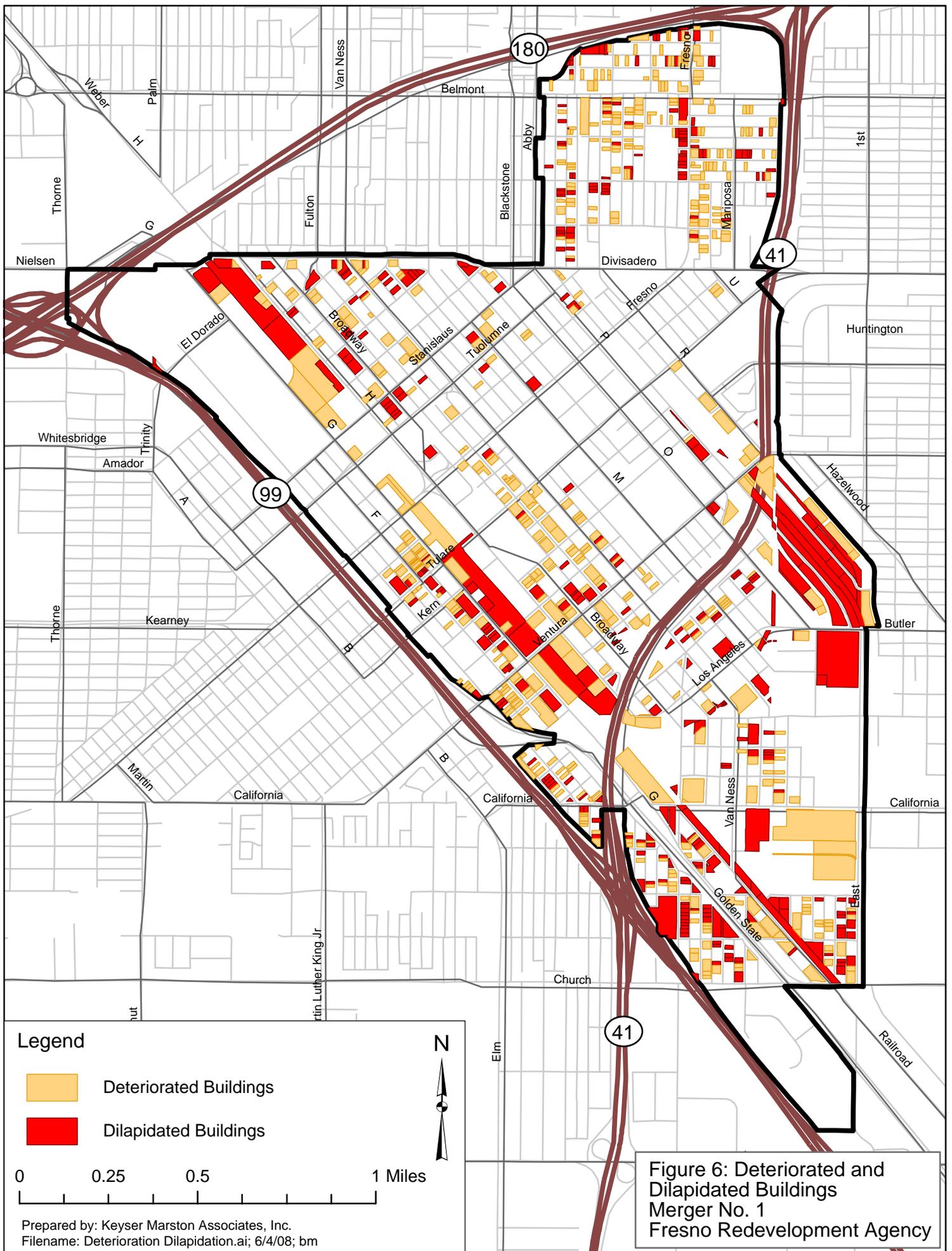
Table 10: Building Condition (2008 Field Survey)

Overall Building Condition	No. of Properties	Percent of Total Properties
Good	1,056	38%
Deferred Maintenance	790	28%
Deteriorated	553	20%
Dilapidated	378	14%
NAV	28	1%
Total Properties	2,805	100%

Percentages may not add due to rounding.
Source: 3DVisions Field Survey, 2008

b. Serious Code Complaints

Another indicator of unsafe and unhealthy conditions in the Project Area is the numerous code violation complaints that occur on an on-going basis. These data suggest that there are many types of code violations that have become persistent problems in the Project Area. Common code complaints that are serious in nature include construction without permits or necessary City approvals, violations of the City’s Dangerous Building Ordinance, the illegal occupancy of garages, sheds or other structures that are not



intended for occupancy, or persons living in RVs or campers as permanent residences.

An article in the Fresno Bee reported that one of eight long-abandoned buildings had to be bulldozed by the City after receiving an emergency court order when drenching rains threatened to bring it down. This particular building, located at 1715 Fulton Street in the Fulton area, had been vacant since 1980. These eight buildings were considered so dangerous that firefighters had to be warned of collapsed ceilings, floors that could give way underfoot and other life-threatening hazards.¹³

Code complaint data obtained from the City for the five-year period of 2003 through 2007 was reviewed to identify those complaints involving serious conditions that would affect the health and safety of building occupants. Complaints that are typically minor in nature or that can be readily corrected, such as parking on lawns, tall/grass and weeds, overheight fences and sign violations were not included among the serious complaints. Serious code complaints fell into five broad categories: Unsafe Buildings, Other Serious Code Violations, Illegal Occupancy, Inadequate Utilities, and Animals and Vermin. Within each of these five categories, there are a number of different types of code complaints as summarized on Table 11.

¹³ Nax, Sanford and Jeff St. John. "Crumbling but Still Standing. Neighbors of Fresno's X-marked buildings keep a watch on the unstable structures, as efforts to revitalize or raze often drag on." The Fresno Bee. Originally published February 2, 2008.

Table 11: Serious Code Complaint Categories

Category	Abbr	Examples
Unsafe Buildings	HCOV PNVB CBDB CBOV DEMO HCDD HCDR HCHC PNFH	Open/Vacant Building Vacant/Blighted Building Dangerous Building Ord. Commercial Building Open/Vacant Demolition Program Dangerous Building - Demo Dangerous Building - Repair Hazardous Conditions Fire Hazard
Inadequate Utilities	HCSO HCHT HCNU	Sewer Overflow No Heat No Utilities
Illegal Occupancy	HCIO ZCRH OCU	Occupancy Violation RV Inhabited Occupancy Violation
Other Serious Code Violations	HCRP HCCP ZCUS HCSH HCCC ZCIS PNDT PNHE PNRV	Housing Code Repair Construction Without Permits Unapproved Structure Safe Housing Code Compliance Illegal Storage Dead Tree/Fire Res/Demo D Hazardous Easement Obstruction Rubbish/Junk/Misc.
Animals and Vermin	HCII PNDD ZCFA	Insect Infestation Dog Droppings Farm Animals on Property

Source: City of Fresno

Unsafe Buildings include buildings identified as blighted and vacant by the City's Code Enforcement personnel, commercial and residential buildings that are open/unsecured and vacant (which present attractive nuisances for illegal activities and squatting), and buildings that are designated for inclusion in the City's Dangerous Building Program. The Dangerous Building Program was initiated by the passage of the Dangerous Building Ordinance by the City Council, which enables City officials to focus on seriously dilapidated structures that pose health and safety risks to the public. A team of City staff works with property owners to get them to either rehabilitate the building, or if that is not feasible, to demolish the building. The City also has the ability to get an emergency order to demolish if it is necessary, but that is usually undertaken as a last resort. All buildings or portions thereof which are determined after inspection by City Code Enforcement personnel or the Fire Chief to be dangerous as defined in the City Municipal Code, are declared to be public nuisances and must be abated by repair, rehabilitation, or demolition.

A total of 2,059 serious code complaints were recorded between 2002 and April 2008 for the Project Area out of a total of 36,783 serious code complaints Citywide. These data are summarized by category on Table 12. The locations of these code complaints are

shown on Figure 7. Overall, despite only representing 2 percent of the City’s population, the Project Area accounts for 6 percent of the total serious code complaints and 10 percent of the code complaints involving unsafe buildings.

Table 12: Serious Code Violations – 2003 Through April 2008

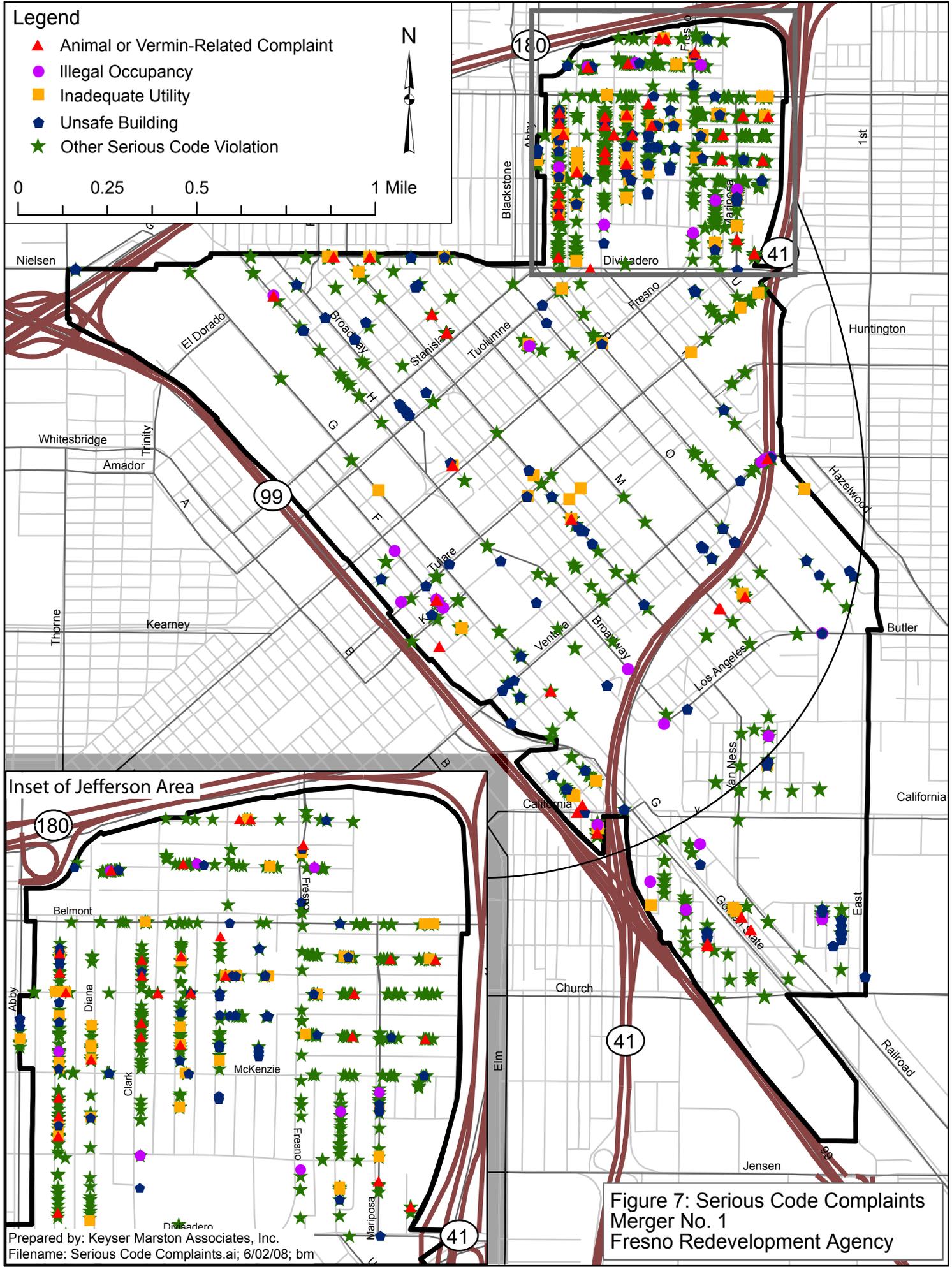
Category	Project Area	Balance of the City	Project Area % of Total
Unsafe Buildings	329	3,324	10%
Inadequate Utilities	190	2,926	6%
Illegal Occupancy	77	2,071	4%
Other Serious Code Violations	1,324	25,771	5%
Animals and Vermin	<u>89</u>	<u>2,858</u>	3%
Totals	2,059	36,950	6%

Source: City of Fresno

In addition, 45 buildings were identified as needing code inspection, due to observed conditions that raised health and safety concerns such as:

- Deteriorated or substandard conditions that would allow easy access by rodents or small animals.
 - Columns supporting porches, overhangs, roofs or carports that appear to be of inadequate size.
 - Buildings that appeared to be leaning or at risk of structural collapse.
 - Buildings with security bars that appear to lack emergency release mechanisms.
 - Buildings under construction without visible permits.
 - Meal service or other businesses at a residence.
- c. Construction that is Vulnerable to Serious Damage from Seismic or Geological Hazards

Because the Project Area includes the City’s historic core, a number of older (pre-1970s) buildings exist, including several unreinforced masonry buildings (UMBs). UMBs are considered hazardous unless they have been seismically retrofitted because they are especially vulnerable to damage from moderate to strong earthquakes. In the Project Area, a total of 131 UMBs were identified during the field survey, the majority of which



were in less than sound condition. Fifty-nine percent of the UMBs were either deteriorated or dilapidated.

Table 13: Unreinforced Masonry Buildings (UMBs)

General Condition of UMB	No. of Buildings	Percent of UMBs
Good	24	18%
Deferred Maintenance	30	23%
Deteriorated	44	34%
Dilapidated	33	25%
Total Buildings	131	100%

Percentages may not add due to rounding.
Source: 3DVisions Field Survey, 2008

These buildings would be considered doubly unsafe due to their poor overall condition and unreinforced masonry construction. The locations of the UMBs are shown on Figure 8.

2. Conditions that Prevent or Substantially Hinder the Viable Use or Capacity of Buildings or Lots

As described in the CRL, these conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards. In the 1998 Report, the Project Area was characterized by age and obsolescence, a lack of parking, and infrastructure deterioration.

The 1998 Report indicated that approximately two-thirds of the buildings in the Jefferson and Chinatown Projects were built before 1940 (and therefore 58 years old or older), as were 40 percent of the buildings in Convention Center, almost 25 percent of buildings in the CBD, and 16 percent of buildings in Mariposa.

In addition, the 1998 Report identified a deficit of 2,250 parking spaces in the Central Area, and indicated a poor match between parking facilities and activity centers to the point where some of the available parking is inconvenient and local businesses and uses were poorly served.

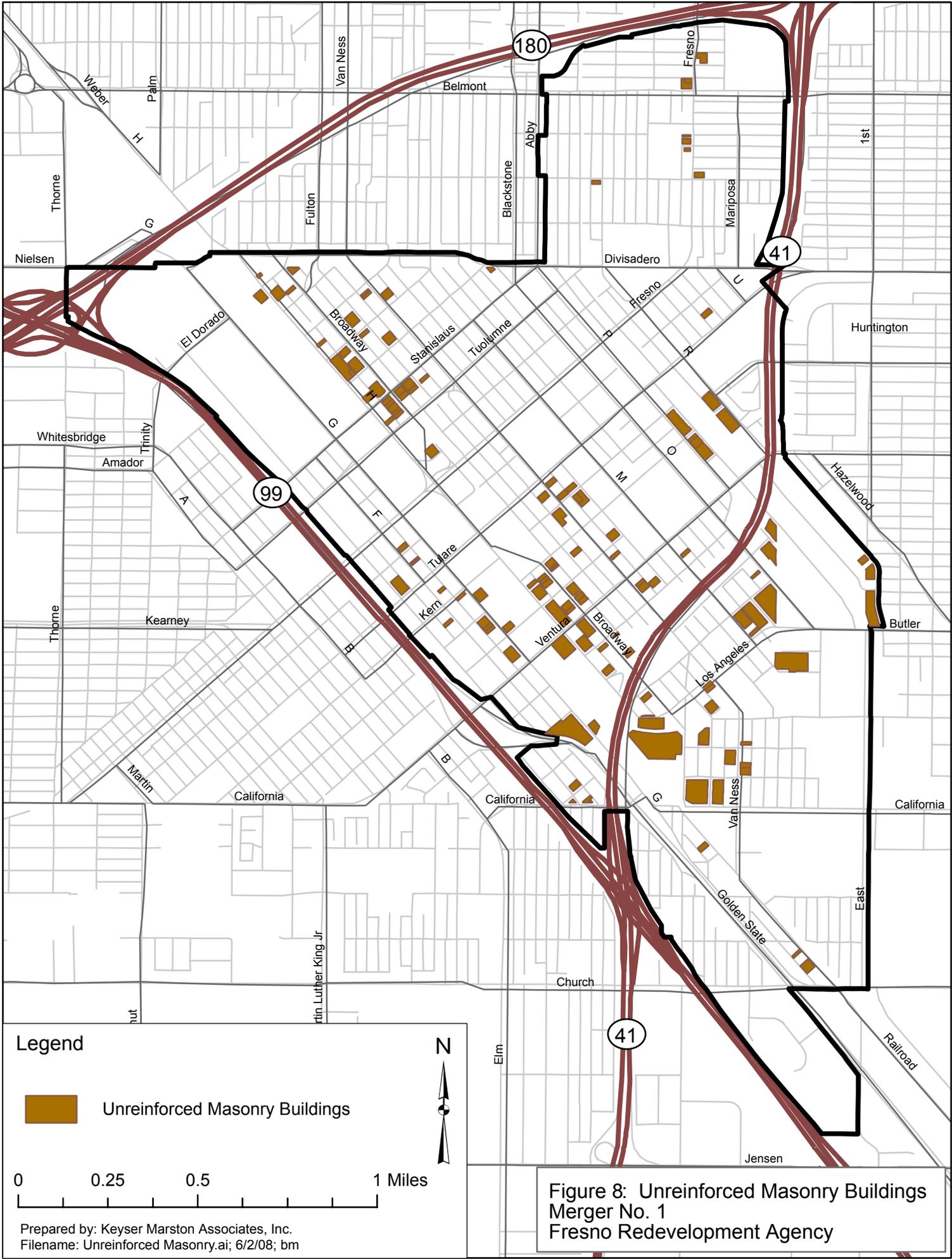


Figure 8: Unreinforced Masonry Buildings
 Merger No. 1
 Fresno Redevelopment Agency

Legend

Unreinforced Masonry Buildings

0 0.25 0.5 1 Miles

Prepared by: Keyser Marston Associates, Inc.
 Filename: Unreinforced Masonry.ai; 6/2/08; bm

Due to the age of the infrastructure in the Project Area, much of it was reaching the end of its normal service life. The *Central Area Community Plan* estimated that 90 percent of the streets within the Central Area would need maintenance within the upcoming 25 years and that 10 percent of streets will need to be reconstructed.

- 1) Buildings of Substandard, Defective or Obsolete Design or Construction Given the Present General Plan, Zoning or Market Development Standards

The field survey identified 119 substandard buildings and 53 obsolete buildings.

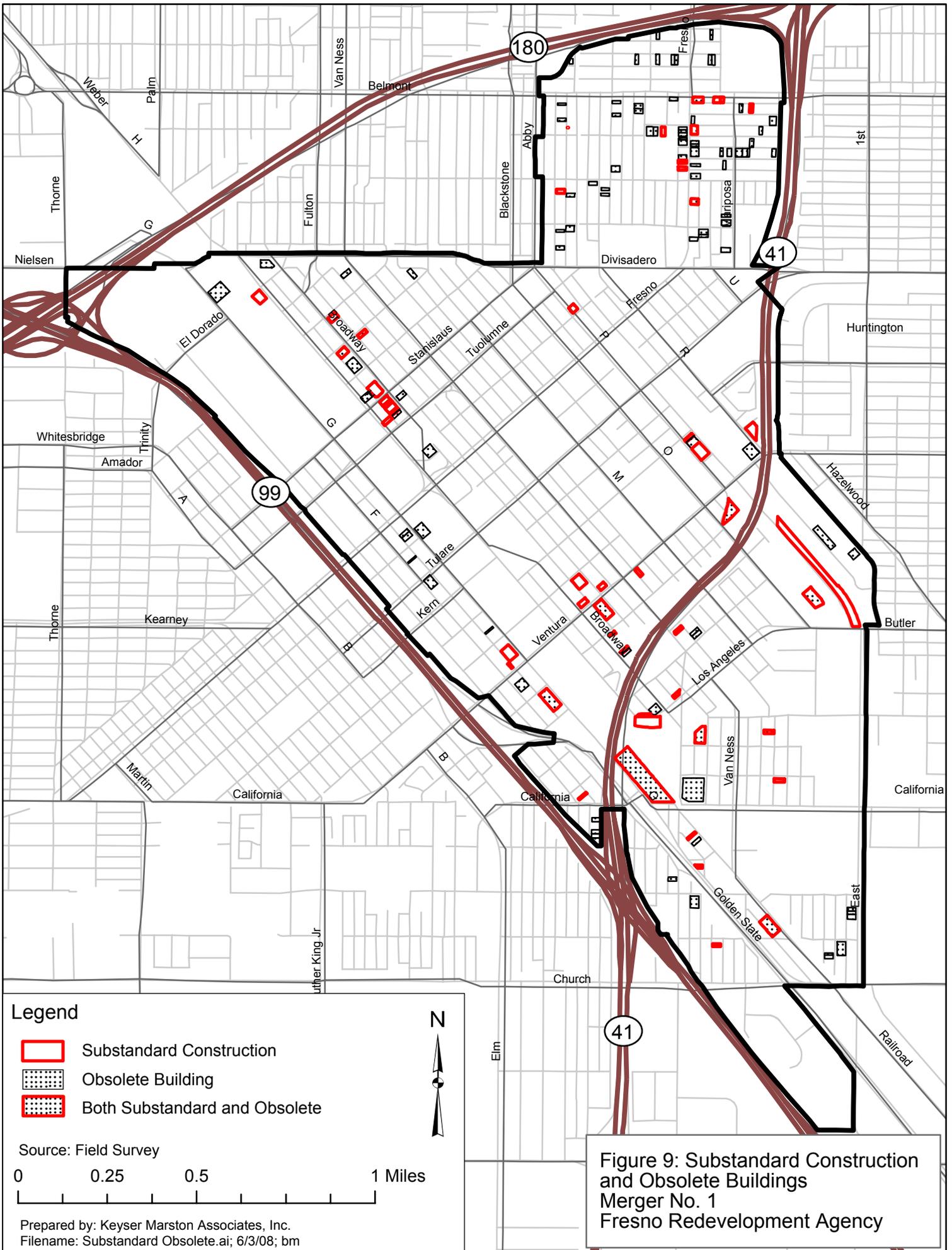
Substandard buildings included:

- Buildings with extensive dry rot
- UMBs that obviously lack seismic retrofitting
- Buildings with substandard materials such as corrugated metal panels or plywood used as siding inappropriately
- Buildings that were being supported by exterior bracing to prevent collapse
- Buildings identified as unsafe by code enforcement, i.e. marked with a red “x” on the exterior

Obsolete buildings included:

- Un-maintained buildings, such as rusting or deteriorating Quonset huts
- Industrial buildings with rail-oriented loading facilities on the building but no rail access, i.e., the siding railroad tracks had been removed
- Old gas stations of substandard construction

These buildings affect 144 parcels or 7 percent of the parcels in the Project Area. The locations of these parcels are shown on Figure 9.



2) The Blighting Conditions at the Fulton Mall

Beginning in the 1960s, there have been numerous initiatives to redevelop the Fulton Mall area. Fulton Street between Tuolumne Street and Inyo Street was closed to vehicular traffic in the mid-1960s. The creation of Fulton Mall was among the earliest attempts of the period to create a pedestrian-oriented mall-type environment in the downtown to compete with suburban malls and slow the exodus of retail to the suburbs. As described in the DTIS, such pedestrian malls were intended to compete with suburban malls by providing an environment with many of the features of suburban malls, namely pedestrian-only zones, cars limited to the periphery, easy parking, and amenities such as attractive landscaping, water features and public art. However, as with many of the pedestrian malls of the period, the Fulton Mall has not been as successful as hoped. The DTIS points out that visitors perceive that access to stores in a downtown mall is not as convenient as in a shopping mall, and public parking may be more difficult to find. Many businesses find that the lack of drive-by traffic and storefront parking, without the volumes of pedestrians found in a suburban mall, make it more difficult to thrive. Without vehicular traffic passing by, pedestrian malls can seem to be less safe than privately-managed suburban malls.¹⁴ As with many other pedestrian malls, Fulton Mall was not able to prevent the continued decline of the downtown area and it has taken concerted efforts by the City, the Agency and the private sector to bring a critical mass of businesses, residents and visitors to the downtown to reverse blighted conditions. The DTIS identifies the following weaknesses at the Fulton Mall:

- The Mall appears run down and dated, and suffers from inadequate maintenance, vegetation that is overgrown and aging, and deteriorated features such as fountains and paving. Updated lighting is also needed.
- The Mall is not easily visible from other streets. Poor visibility impedes pedestrian access, way-finding is unclear, and pedestrian and bicycle routes do not lead to or focus on the Mall.
- The lack of nighttime activity discourages pedestrian use. Few restaurants operate in the evenings and Chukchansi Park is the only major destination with evening events.
- Fulton Mall does not have a strong relationship with some of the more important surrounding/adjoining uses that could help activate it and the Mall acts as a cul-de-sac, particularly in the east-west direction. Most of the activity generators in the downtown (such as the County offices, Library, Transit Center, and

¹⁴ Wilbur Smith Associates, pp. 8-1 and 8-2.

Metropolitan Museum) are located on the east side of the Mall. With the exception of Chukchansi Park, no major activity is located on the west to serve as potential anchors for cross-mall pedestrian traffic.

- Empty storefronts and buildings with solid, blank walls along the Mall are unattractive and convey a negative image. The “dead spots” on the Mall need to have their storefronts filled with some form of interest (art, etc.).
- The Mall lacks a public restroom facility equal to those that are provided by suburban shopping centers.

These conditions all contribute to a lack of critical mass and the run down and blighted appearance of the Fulton Mall, which suffers from high vacancies.

One of the physical conditions that impair the economic viability of the Fulton Mall is the building sizes and configurations. Many of the buildings on the Mall were constructed before the post-World War II expansion of suburban development and the development of enclosed malls.¹⁵ These buildings were designed for a mode of retailing that no longer exists. Several key factors have contributed to major changes in the way people shop: 1) the development and expansion of suburbs; 2) the rise and prevalence of automobiles as the primary means of transportation; and 3) the rise of the auto-oriented enclosed shopping mall and self-service shopping.

Prior to the development of enclosed malls and suburban expansion, most shoppers arrived on foot or by public transportation, so abundant parking was less of a concern. In addition, retailers generally had limited sales floor space and self-service shopping was limited: most of the merchandise was not on the sales floor, but rather in stockrooms and storage rooms. Customers were not expected to select their own merchandise from the display, but typically entered a store and were assisted by the store owner or sales person, who brought merchandise to the customer from stockrooms. This style of retailing allowed merchants to utilize buildings with narrow storefronts (20 to 25 feet in width) and depths of 100 to 120 feet.

Retailing has changed significantly since the 1960s. In addition to needing nearby plentiful parking to attract customers, most stores utilize self service shopping: the majority of a store’s merchandise is on the sales floor and customers select their own items for purchase. As a result of the change in sales and merchandising practices, most small retailers prefer retail spaces of 25 to 30 feet in width and 50 to 60 feet in

¹⁵ There are a number of articles that have been written regarding the development of suburban shopping centers and malls and the decline of downtowns. See Appendix I for a list of articles referenced.

depth. Some will utilize spaces up to 75 feet in depth, but consider anything deeper than that unusable.¹⁶

In order to assess the depths of retail buildings on the Fulton Mall, parcel maps and aerial photos were used to estimate building depths. There were 41 buildings identified as being retail buildings or having space for retail on the ground floors. As summarized in Table 14 and shown on Figure 10, 34 of the retail buildings (or 83 percent) were in excess of 75 feet in depth. Only 5 of the 41 had buildings of the preferred depth (50 feet) and 2 buildings had of depths between 50 and 75 feet. These data illustrate that property owners with retail space in the buildings along the Fulton Mall are at a competitive disadvantage regarding retail space configuration with modern retail space in the City.

Table 14: Fulton Mall Retail Building Depth

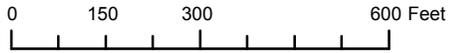
	Retail Buildings	% of Retail Buildings
Building depth 50 feet of less (preferred)	5	12%
Building depth 50 to 75 feet (acceptable)	2	5%
Building depth greater than 75 feet (unacceptable)	34	83%

¹⁶ These retail space widths and depths are based upon information obtained from developers, real estate agents and retail tenant representatives for a variety of retail projects over the past 3 years.

Legend

-  Retail property that exceeds maximum acceptable depth (75 ft)
-  Retail property that meets acceptable depth (75 ft) but exceeds preferred depth (50 ft)
-  Retail property that meets preferred depth (50 ft)
-  Office
-  Parking Lot

Source: City land use file; County Assessor data; aerial photos



Prepared by: Keyser Marston Associates, Inc.
 Filename: Fulton Mall 1.ai; 6/2/08; bm



Figure 10: Estimated Retail Building Depths on the Fulton Mall Merger No. 1
 Fresno Redevelopment Agency

D. SIGNIFICANT REMAINING ECONOMIC BLIGHTING CONDITIONS

1. Depreciated or Stagnant Property Values
 - a. Assessed Property Values

As described in the 1998 Report, depreciated or stagnant property values can be an impediment to reinvestment and redevelopment: property owners are often more reluctant to reinvest in a property due to the lower likelihood of receiving a return on their investment that is comparable to the risk of the reinvestment. The passage of Proposition 13 in California limited the amount of increase in assessed valuation for properties in California to a maximum of 2 percent per year (plus any voter-approved overrides) except where property changes ownership, or is substantially remodeled or an addition is constructed. Therefore, while trends in assessed value are not a direct measure of property values, increases in assessed value above 2 percent per year over time are indicative of a healthy real estate market, and along with building permit data, are indicative of activity and reinvestment occurring in an area.

The 1998 Report analyzed the trend in assessed value changes for nine of the Constituent Project Areas from 1991-92 through 1996-97 (hereinafter referred to a Period 1). Results of the analysis indicated that assessed values declined during the period in six of the nine Project Areas: CBD, Convention Center, Mariposa, West Fresno I, West Fresno III and Fulton. Only the West Fresno II, Chinatown and Jefferson Project Areas experienced healthy assessed value growth during this period. For this analysis, assessed value data for the period 1997-98 through 2006-07 (i.e. Period 2) were reviewed to determine the trend in assessed value for the Constituent Project Areas since the 1998 Report. Of the three that experienced healthy increases in Period 1, West Fresno II experienced overall stagnation with an increase of 5.6 percent (or less than 1 percent per year), Chinatown experienced a decline in assessed value, at minus 29.8 percent and Jefferson experienced an increase of 63.5 percent. Of the six Constituent Project Areas that experienced declines during Period 1, five experienced increases during Period 2: CBD increased 196.9 percent, Convention Center increased 100.8 percent, Mariposa increased 67.5 percent, and West Fresno I increased 5.6 percent. Data for Period 2 for West Fresno III was not available for comparison. While the increases in assessed value during Period 2 would suggest that assessed values are increasing at a normal or better-than-normal rate, in one Project Area – Chinatown Expanded, assessed values declined, and on an annualized basis, property values were stagnant (i.e. increased by less than the 2 percent per year) in West Fresno II and increased by less than 1 percent overall in the South Van Ness Industrial Project Areas.

These data suggest the property values are declining or stagnant in the Chinatown Expanded, West Fresno II and South Van Ness Industrial areas.

b. Retail Property Sales Prices

To further assess property values in the Project Area, sales prices for retail properties were analyzed and compared to retail property sales prices in the balance of the City and in Fresno County overall from 2002 through 2007. The results of the analysis and a summary of the retail property transactions in the Project Area are shown on Figure 11. The majority of the 25 properties transacted in the Project Area were freestanding or stand-alone retail buildings, typically one-story buildings. According to the Marshall Valuation Service, the typical useful building life of similar building types is approximately 45 years, suggesting that any building built prior to 1963 would be considered obsolete without major renovation. Twenty-three of the 25 buildings transacted were constructed before 1963 and most were sold for prices below their replacement costs. For example, of the three buildings transacted in 2007, the sales prices were \$45.60, \$42.96 and \$120.00 per building square foot. The estimated replacement cost of a one-story retail building of average quality in 2007 was estimated at \$63.00 utilizing costs from the Marshall Valuation Service handbook. Thus, 2 of the 3 were sold for less than replacement cost. As shown in Figure 11, the median sales price for retail properties was below the median sales price for the balance of the City and the County in all 6 years of data analyzed. The analysis indicates that 15 of the 25 properties were sold at values below their estimated replacement cost. The age of the structures, combined with the low sales prices indicate that many of these buildings are considered obsolete by today's standards and that the value of these buildings, as representative of the general stock of retail buildings in the Project Area, are depreciated.

c. Office Property Sales Prices

As with retail properties, sales prices for office properties were analyzed and compared to sales prices for office properties in the balance of the City and in Fresno County for transactions from 2002 through 2007. The results of the analysis and a summary of the office property transactions in the Project Area are shown on Figure 11. Real estate professionals classify office properties as either "Class A," "Class B" or "Class C" properties, depending upon factors such as building construction quality, amenities, and property management. Class A properties are those of the highest quality construction and finishes, the most desirable amenities and top quality professional management, while Class C buildings are considered those of the lowest quality and with the few amenities, and are usually managed by individual property owners (see Appendix 3 for a more detailed description of office building classifications). Because the Project Area includes the City's civic center and most of the office core for local, county, state and

federal district offices, the Project Area would be expected to include much of the better, Class A office building space in the City. However, the office properties transacted between 2002 and 2007 were primarily low-rise (1- to 3-stories) buildings that were considered Class B and Class C properties. Low-rise office buildings typically have a useful service life of 40 to 45 years, suggesting that a building constructed before 1963 would have reached the end of its useful life without major rehabilitation. Of the 21 buildings transacted, 15 were constructed before 1963. Only one was considered a Class A property: a nine-story office building constructed in 1923 that had been renovated. The two other high-rise buildings (more than 5 stories) were either Class B or Class C structures. Of the 21 properties, 15 were sold at prices below the estimated replacement costs for typical low-rise office buildings. These data indicate that the office properties, as representative of much of the Class B and Class C office buildings in the Project Area, are considered obsolete and have depreciated values.

d. Industrial Property Sales Prices

Industrial property transactions from 2002 through 2007 in the Project Area were analyzed for comparison to transactions of industrial properties in the balance of the City and Fresno County. Results of the analysis and a summary of the Project Area transactions are shown on Figure 13. Most of the industrial buildings transacted were small, with 19 of the properties having buildings of less than 10,000 square feet in area. The typical service life of industrial buildings is approximately 40 years, suggesting that buildings built before 1968 would have reached the end of their useful life without major rehabilitation. Of the 30 properties transacted, 18 were constructed before 1968, indicated that they would be considered obsolete without major rehabilitation. In addition, half of the properties (15 of 30) were sold at prices below the estimated replacement costs for the buildings. The median sales price for industrial properties was below the estimated replacement costs in four of the six years analyzed. These data suggest that many of the industrial buildings are considered obsolete and have depreciated values.

e. Single-Family Residential Sales Prices

Single-family home sales prices in the Project Area from 2002 through 2007 were analyzed and compared to single-family home sales prices in the balance of the City and Fresno County. As shown on Figure 14, the median home sales price in the Project Area was consistently well below the median for the balance of the City and Fresno County. However, differences in median sales prices can be affected by home sizes and amenities. Therefore, median sales prices were also analyzed on a per-square-foot basis. The median home sales price was consistently below the median for the balance of the City and Fresno County on a per-square-foot basis. These data indicate that

**FIGURE 11
SUMMARY OF RETAIL PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	3	4	5	5	5	3	25
Total \$\$ Value	\$3,095,000	\$2,305,500	\$3,910,000	\$5,165,000	\$5,637,000	\$3,150,000	\$23,262,500
Total Sq. Ft Bldg.	80,987	39,659	165,403	64,176	71,535	66,950	488,710

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$35.31	\$62.17	\$25.30	\$51.35	\$92.31	\$45.60
Balance of the City	\$115.92	\$104.76	\$113.37	\$195.91	\$230.05	\$305.79
Fresno County	\$97.18	\$102.69	\$131.25	\$183.40	\$197.00	\$251.41

Replacement Cost *	\$48.00	\$49.00	\$54.00	\$56.00	\$61.00	\$63.00
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SALES TRANSACTION DATA

<u>Address</u>	<u>Approx Sale Date</u>	<u>Sale Price</u>	<u>Building Sq. Ft</u>	<u>Land Sq. Ft</u>	<u>FAR</u>	<u>Price per Sq. Ft. Bldg.</u>	<u>Year Built</u>	<u>Use Type</u>
1. 1435 Fresno St	Oct 2002	\$2,500,000	56,897	143,748	0.40	\$43.94	1983	Supermarket
2. 1940 H St	Nov 2002	\$285,000	15,310	26,136	0.59	\$18.62	1948	
3. 2402-2408 Ventura St	Dec 2002	\$310,000	8,780	14,375	0.61	\$35.31	1962	
4. 1728 Van Ness Ave	Mar 2003	\$1,310,000	8,184	18,731	0.44	\$160.07	1960	General Freestanding
5. 1729 Van Ness Ave	Jun 2003	\$395,500	10,500	21,780	0.48	\$37.67	1923	General Freestanding
6. 1017 Fulton	Oct 2003	\$325,000	3,750	3,920	0.96	\$86.67	1960	Storefront
7. 1502-1520 Tulare St	Dec 2003	\$275,000	17,225	26,136	0.66	\$15.97	1940	Storefront
8. 860 Fulton Mall	Feb 2004	\$1,467,000	88,084	30,056	2.93	\$16.65	1940	
9. 1625 Broadway St	Mar 2004	\$475,000	11,684	30,056	0.39	\$40.65	1945	
10. 702 Fulton St	Sep 2004	\$1,000,000	39,518	67,518	0.59	\$25.30	1924	Storefront
11. 1540 Kern St	Nov 2004	\$350,000	14,700	7,405	1.99	\$23.81	1938	Storefront Retail/Residential
12. 1025 Fulton Mall	Dec 2004	\$618,000	11,417	7,405	1.54	\$54.13	1960	Storefront
13. 1000-1024 Fulton Mall	Jan 2005	\$1,500,000	32,068	18,295	1.75	\$46.78	1960	
14. 1729 Van Ness Ave	Feb 2005	\$2,070,000	10,500	21,780	0.48	\$197.14	1923	General Freestanding
15. 1141-47 Fulton Mall	Jun 2005	\$905,000	7,500			\$120.67	1920	Regional Center/Mall
16. 648 Broadway St	Aug 2005	\$325,000	7,000	20,909	0.33	\$46.43	1942	Free Standing
17. 1234 O St	Oct 2005	\$365,000	7,108	14,810	0.48	\$51.35	1942	Free Standing
18. 2317 Tuolumne St	Jan 2006	\$2,342,000	25,035	91,912	0.27	\$93.55	1980	Banquet/Social Hall
29. 3032 Tulare	Feb 2006	\$1,100,000	11,250	26,136	0.43	\$97.78	1953	Street Retail
20. 1452-1484 Fresno St	Feb 2006	\$1,500,000	16,250	11,326	1.43	\$92.31	1923	Storefront Retail/Residential
21. 1829 Van Ness Ave	Mar 2006	\$260,000	4,000	9,148	0.44	\$65.00	1949	Free Standing
22. 1234 O St	May 2006	\$435,000	15,000	14,810	1.01	\$29.00	1942	Free Standing
23. 1460 Broadway St	Feb 2007	\$1,400,000	30,700	58,370	0.53	\$45.60	1913	
24. 887 Fulton Mall	Feb 2007	\$1,450,000	33,750	11,326	2.98	\$42.96	1960	Storefront Retail/Office
25. 302 N Fresno St	Nov 2007	\$300,000	2,500	10,890	0.23	\$120.00	1956	General Freestanding

* Replacement costs rounded to the nearest dollar. Costs estimated for an average quality, 1-story retail building of concrete block or tilt-up with average interior finished. Furniture, fixtures and equipment not included.

FIGURE 12
SUMMARY OF OFFICE PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	5	3	4	3	3	3	21
Total \$\$ Value	\$4,924,000	\$2,558,000	\$3,120,000	\$7,698,000	\$7,698,000	\$3,415,000	\$29,413,000
Total Sq. Ft Bldg.	61,688	112,136	245,117	142,798	41,428	46,060	649,227

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$68.77	\$23.76	\$13.89	\$50.62	\$89.96	\$78.85
Balance of the City	\$83.16	\$96.15	\$94.58	\$141.29	\$143.71	\$149.56
Fresno County	\$83.49	\$96.15	\$95.43	\$137.78	\$142.82	\$142.87

Replacement Cost *	\$71	\$72	\$79	\$82	\$89	\$93
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SALES TRANSACTION DATA

<u>Address</u>	<u>Approx Sale Date</u>	<u>Sale Price</u>	<u>Building Sq. Ft.</u>	<u>Land Sq. Ft.</u>	<u>FAR</u>	<u>Price per Sq. Ft. Bldg.</u>	<u>Year Built</u>	<u>Floors</u>	<u>Bldg. Class</u>
1. 929 L St	Jun 2002	\$1,000,000	9,379	13,939	0.67	\$106.62	1978	2	C
2. 1713 Tulare Ave	Aug 2002	\$1,725,000	11,000	140,699	0.08	\$156.82	1898	2	C
3. 907 Santa Fe St	Aug 2002	\$1,350,000	19,631	30,492	0.64	\$68.77	1960	2	C
4. 1302-1310 Van Ness	Sep 2002	\$500,000	10,978	19,602	0.56	\$45.55	1950	1	C
5. 1528 Van Ness Ave	Nov 2002	\$349,000	10,700	14,810	0.72	\$32.62	1957	1	C
6. 1206 G St	Feb 2003	\$365,000	10,592	29,185	0.36	\$34.46	1981	1	C
7. 2721 Ventura St	Feb 2003	\$643,000	36,300	49,223	0.74	\$17.71	1925	2	B
8. 1101-1123 Fulton Mall	Mar 2003	\$1,550,000	65,244	12,632	5.16	\$23.76	1914	10	B
9. 1828-1840 H St	Apr 2004	\$290,000	18,661	30,056	0.62	\$15.54	1950	1	C
10. 939 Fulton St	Jun 2004	\$1,650,000	154,322	24,829	6.22	\$10.69	1925	5	C
11. 1015 Fulton	Jun 2004	\$850,000	69,484	14,810	4.69	\$12.23	1930	8	C
12. 238 N Fresno St	Oct 2004	\$330,000	2,650	16,553	0.16	\$124.53	1956	1	C
13. 1759 Fulton St	Jan 2005	\$875,000	17,286	22,651	0.76	\$50.62	1955	1	C
14. 1401 Fulton St	Jul 2005	\$5,223,000	104,712	11,326	9.25	\$49.88	1923	9	A
15. 1821 Fulton St	Oct 2005	\$1,600,000	20,800	30,056	0.69	\$76.92	1973	1	C
16. 2317 Tuolumne St	Jan 2006	\$2,342,000	26,035	91,912	0.28	\$89.96	1980	1	C
17. 2126-2146 Merced St	Feb 2006	\$800,000	11,250	11,326	0.99	\$71.11	1978	1	C
18. 2140 San Joaquin St	Dec 2006	\$750,000	4,143			\$181.03			
19. 1444 Fulton St	Feb 2007	\$1,375,000	12,055	18,731	0.64	\$114.06	1968	2	B
20. 2125-2141 Kern St	Jun 2007	\$1,600,000	28,425	19,602	1.45	\$56.29	1937	3	C
21. 2389 S Sarah St	Oct 2007	\$440,000	5,580	18,731	0.30	\$78.85	1964	1	B

* Replacement costs rounded to the nearest dollar. Costs estimated for all average quality 2-story steel frame or bearing wall building with average interior finished, lighting, plumbing, and HVAC systems.

**FIGURE 13
SUMMARY OF INDUSTRIAL PROPERTY TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	3	1	8	5	7	6	30
Total \$\$ Value	\$4,645,000	\$268,500	\$2,407,500	\$5,121,000	\$3,212,500	\$2,357,000	\$18,011,500
Total Sq. Ft Bldg.	261,997	10,488	71,920	213,676	56,316	51,299	665,696

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1 Area	\$21.74	\$25.60	\$34.12	\$36.15	\$104.00	\$59.31
Balance of the City	\$33.95	\$25.03	\$51.19	\$44.07	\$65.97	\$66.67
Fresno County	\$25.85	\$25.03	\$49.97	\$40.63	\$65.97	\$65.60
Replacement Costs*	\$32	\$32	\$35	\$37	\$40	\$42

SALES TRANSACTION DATA

<u>Address</u>	<u>Approx Sale Date</u>	<u>Sale Price</u>	<u>Building Sq. Ft.</u>	<u>Land Sq. Ft.</u>	<u>FAR</u>	<u>Price per Sq. Ft. Bldg.</u>	<u>Year Built</u>
1. 1844 S. Cherry Ave	Feb 2002	\$3,500,000	161,009	240,451	0.67	\$21.74	1976
2. 1502 G St	Jul 2002	\$250,000	10,488	25,265	0.42	\$23.84	1959
3. 747 R St	Oct 2002	\$895,000	90,500	59,677	1.52	\$9.89	1931
4. 1502 G St	Mar 2003	\$268,500	10,488	25,265	0.42	\$25.60	1959
5. 2307 S Grace St	Feb 2004	\$67,500	487	3,049	0.16	\$138.60	1950
6. 1835 S Van Ness Ave	Apr 2004	\$250,000	5,000	7,405	0.68	\$50.00	1965
7. 2120 S Van Ness Ave	Jun 2004	\$280,000	8,100	27,443	0.30	\$34.57	1963
8. 1501 Broadway St	Jun 2004	\$450,000	17,881	29,185	0.61	\$25.17	1940
9. 223 Broadway St	Sep 2004	\$310,000	7,568	14,375	0.53	\$40.96	1960
10. 2640 E Braly Ave	Sep 2004	\$300,000	9,000	14,810	0.61	\$33.33	1983
11. 2822 E California Ave	Sep 2004	\$535,000	17,500	51,401	0.34	\$30.57	1962
12. 1828 S Mary St	Oct 2004	\$215,000	6,384	22,651	0.28	\$33.68	1948
13. 2323 S Orinda St	Apr 2005	\$87,000	576	6,970	0.08	\$151.04	1948
14. 2319 S Orinda St	Jul 2005	\$149,000	1,092	9,583	0.11	\$136.45	1991
15. 1625-1626 Tulare Ave	Sep 2005	\$1,300,000	112,800	103,673	1.09	\$11.52	1946
16. 1221 S Grace St	Oct 2005	\$35,000	1,012	6,098	0.17	\$34.58	
17. 1816-1860 G St	Nov 2005	\$3,550,000	98,196	196,020	0.50	\$36.15	1979
18. 2272 S East Ave	Mar 2006	\$1,062,500	30,000	130,680	0.23	\$35.42	1960
19. 2329 S Grace St	May 2006	\$175,000	1,034	6,098	0.17	\$169.25	1925
20. 304 M St	May 2006	\$185,000	1,081	5,663	0.19	\$171.14	1970
21. 1843 S Sarah St	Jul 2006	\$185,000	825	6,970	0.12	\$224.24	1919
22. 2340 S Grace St	Sep 2006	\$75,000	816	12,632	0.06	\$91.91	
23. 505 Van Ness Ave	Sep 2006	\$780,000	7,500	18,295	0.41	\$104.00	1971
24. 1444 F St	Nov 2006	\$750,000	15,060	30,056	0.50	\$49.80	1976
25. 210 N Van Ness Ave	Jun 2007	\$250,000	7,500	14,375	0.52	\$33.33	
26. 337 M St	Jul 2007	\$500,000	5,520	20,909	0.26	\$90.58	2003
27. 1835 S Sarah St	Aug 2007	\$127,000	894	7,405	0.12	\$142.06	1915
28. 2382 S East Ave	Aug 2007	\$65,000	1,435	9,583	0.15	\$45.30	1942
29. 825 S Topeka Ave	Aug 2007	\$975,000	29,950	47,480	0.63	\$32.55	1970
30. 2811 E Church Ave	Nov 2007	\$440,000	6,000	18,731	0.32	\$73.33	1964

* Replacement costs rounded to the nearest dollar. Cost estimated for average quality industrial set-up or concrete block warehouse/distribution building.

FIGURE 14
SUMMARY OF SINGLE FAMILY RESIDENTIAL PROPERTY TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY

TRANSACTION DATA BY YEAR

	2002	2003	2004	2005	2006	2007	Totals
No. of Transactions	22	33	39	57	40	23	214
Total \$\$ Value	\$1,063,500	\$3,108,000	\$4,421,500	\$7,407,001	\$6,642,500	\$2,998,900	\$25,641,401
Total Sq. Ft Bldg.	27,372	39,392	50,919	59,279	45,109	24,646	246,717

MEDIAN SALES PRICE

	2002	2003	2004	2005	2006	2007
Merger 1	\$55,750	\$58,000	\$107,500	\$135,500	\$167,000	\$111,900
City of Fresno*	\$131,000	\$162,500	\$214,000	\$270,000	\$281,500	\$258,000
Fresno County	\$137,000	\$169,000	\$220,000	\$280,000	\$295,000	\$269,000

MEDIAN SALES PRICE PER SQUARE FOOT

	2002	2003	2004	2005	2006	2007
Merger 1	\$39.89	\$57.03	\$98.85	\$128.71	\$160.63	\$111.94
City of Fresno*	\$86.01	\$108.57	\$138.42	\$177.45	\$190.62	\$170.95
Fresno County	\$87.75	\$108.15	\$137.68	\$175.00	\$189.88	\$172.96

single-family home values are depreciated relative to the balance of the City and Fresno County.

2. Abnormally High Business Vacancies, Abnormally Low Lease Rates and an Abnormally High Number of Abandoned Buildings

a. Abnormally Low Office Lease Rates

General Office Market Characteristics

The Project Area is within the “Downtown” or “CBD” submarket, one of nine identified by the nationally-recognized real estate brokerage firm of Grubb & Ellis. The Downtown submarket is bounded by the 180, 41 and 99 Freeways. The Downtown submarket is the southern-most submarket in greater Fresno, with most of the office space in the Fresno office market being north of Freeway 180. The Fresno office market includes approximately 17.7 million square feet of space, of which just over three million square feet are located in the Downtown submarket.

Office Lease Rates

Lease rates for office space vary, depending upon the quality of the space (Class A, B or C¹⁷) and the type of lease (full service, modified gross, or triple net¹⁸). Because full service leases include the cost of all of the property-related expenses (i.e. the landlord pays all expenses), full service lease rates are generally more expensive on a per-square-foot (PSF) basis than modified gross leases, which in turn have generally higher lease rates than triple net (or NNN) leases, where the tenant pays all expenses separately. Grubb & Ellis reported an average asking full service lease rate of \$2.35 PSF for Class A space, the highest rate for the entire Fresno market area, and \$1.25 PSF for Class B space, which is the second to the lowest average among the nine submarkets.

¹⁷ See definitions for office space categories described on page 35 and in Appendix 3.

¹⁸ For full service leases, the tenant pays a base rent from which the landlord pays taxes, insurance and maintenance expenses. For modified gross (or industrial gross) leases, the tenant pays a base rent plus some expenses (such as utilities and common area maintenance) and the landlord pays the remaining expenses. For triple net leases, the tenant pays a base rent plus all operating expenses (taxes, insurance and maintenance) and utilities.

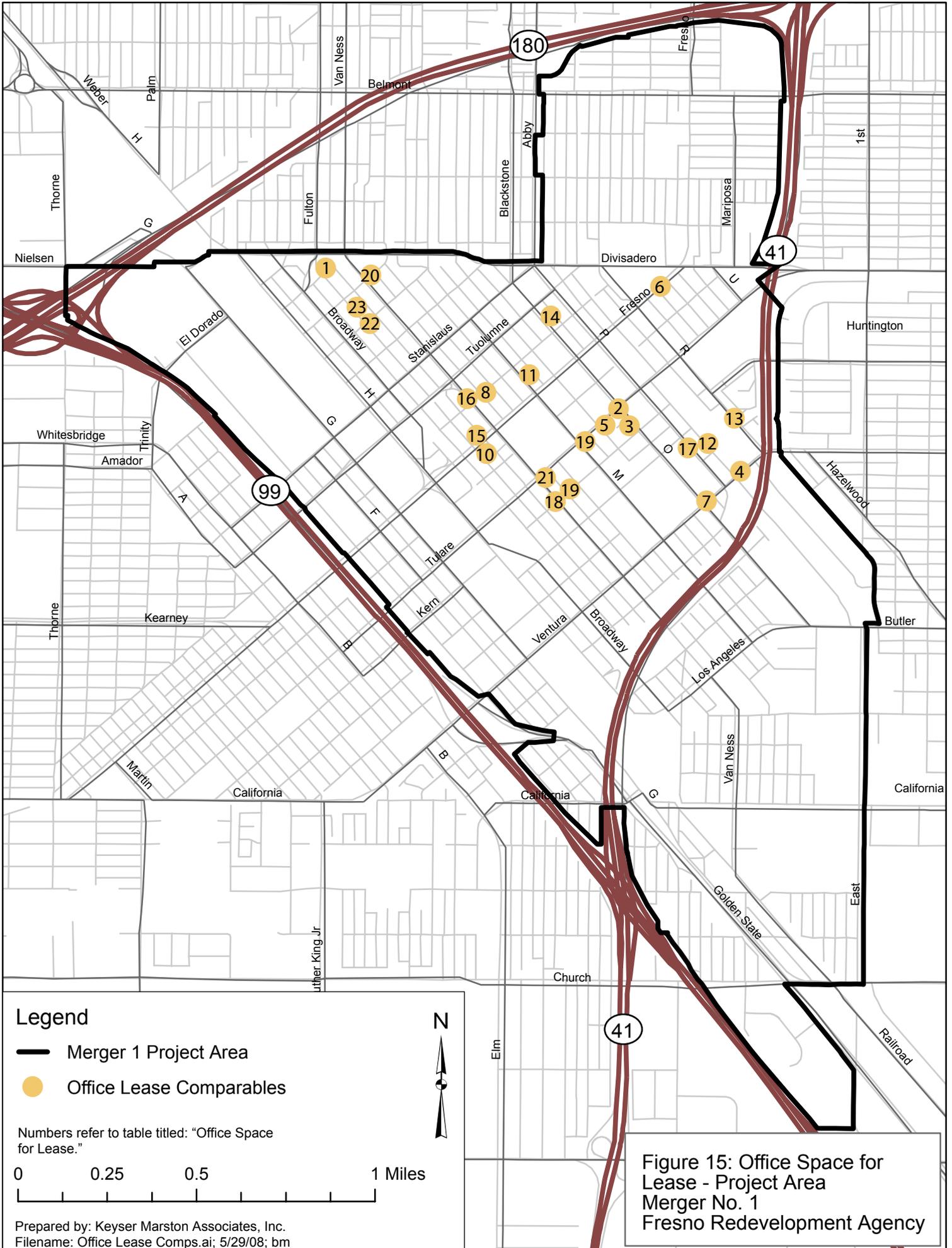
Table 15: Summary of Fresno Office Market Data – Fourth Quarter 2007

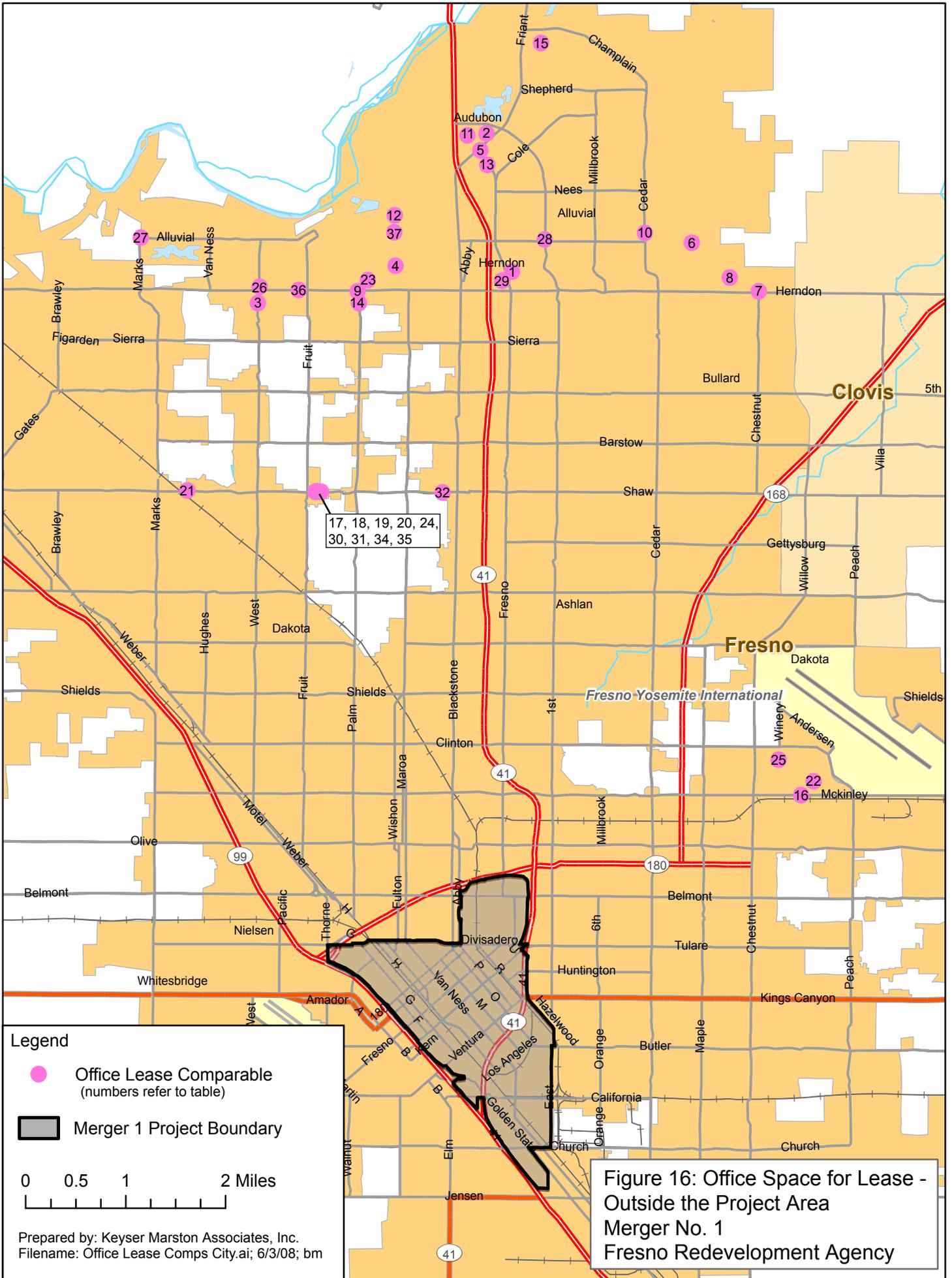
	Total Sq. Ft.	Percent of Total Space	Vacant		Asking Rent	
			Sq. Ft.	Percent	Class A	Class B
Downtown/CBD	3,062,176	17%	378,685	12.4%	\$2.35	\$1.25
Airport	1,334,992	8%	124,118	9.3%	-	\$1.21
Clovis	392,199	2%	126,215	32.2%	\$2.06	\$1.45
East Shaw	1,216,133	7%	158,656	13.0%	\$1.64	\$1.45
Midtown	2,772,045	16%	113,651	4.1%	-	\$1.21
Northeast	1,481,673	8%	132,849	9.0%	\$2.07	\$1.61
Northwest	2,865,756	16%	396,161	13.8%	\$2.17	\$1.81
West Shaw	1,503,708	8%	202,031	13.4%	\$1.55	\$1.45
Woodward	3,077,532	17%	441,702	14.4%	\$2.24	\$1.98
Totals	17,706,214	100%	2,074,068	11.7%	\$2.16	\$1.48

Asking rents are per square foot per month, full service. Source: Grubb & Ellis/Pearson Commercial: Office Market Trends Fresno, Fourth Quarter 2007

These data suggest that while the Class A office space in the Project Area is comparable and, therefore, competitive with Class A space in the rest of the Fresno office market, the Class B space is of lesser quality and is therefore, less competitive with other Class B space in the greater Fresno area.

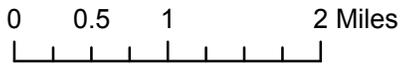
In order to further assess office lease rates in the Project Area, data for space available for lease was obtained from Loopnet.com, an online real estate database, for properties in the Project Area and the Fresno market area between February and May 2008. For the Project Area, a total of 21 listings were identified for Class A and B space, representing 394,313 square feet of available space. The location of the space for lease is shown on Figure 15 and a list of the space is included in Appendix 5A. For the balance of the City, a total of 37 listings were identified representing a total of 329,752 square feet of available space, excluding other redevelopment areas within the City. The location of this space is shown on Figure 16 and the list of space available is included as Appendix 5B.





Legend

- Office Lease Comparable (numbers refer to table)
- Merger 1 Project Boundary



Prepared by: Keyser Marston Associates, Inc.
 Filename: Office Lease Comps City.ai; 6/3/08; bm

Figure 16: Office Space for Lease - Outside the Project Area
Merger No. 1
Fresno Redevelopment Agency

Table 16: Summary of Office Space for Lease

	Project Area		City of Fresno	
	No. of Listings	Total Avail. Sq. Ft.	No. of Listings	Total Avail. Sq. Ft.
Class A				
Full Service	0	0	2	6,098
Modified Gross	3	46,583	2	15,712
Triple Net (NNN)	4	142,583	11	171,510
Total Class A	7	189,166	15	193,320
Class B				
Full Service	5	53,977	6	55,050
Modified Gross	9	151,170	8	40,364
Triple Net (NNN)	0	0	8	41,018
Total Class B	14	205,147	22	136,432
Combined Totals	21	394,313	37	329,752

Source: Grubb & Ellis/Pearson Commercial: Office Market Trends Fresno, Fourth Quarter 2007.

For both the Project Area and the balance of the City, the majority of available Class A space was offered under NNN leases. For Class B space, the majority of space in the Project Area was offered under modified gross leases. For the balance of the City, the distribution of available space was more equal amongst the three lease types.

The average asking lease rates for Class A space in the Project Area was comparable and slightly higher than the average for the balance of the City, suggesting that Class A space in the downtown is considered desirable. However, the asking rates for Class B space in the Project Area were well below the asking rates for the balance of the City. For example, asking rates for space available on a modified gross basis, which represents the majority of available Class B space in the Project Area was \$1.32 PSF versus \$1.56 in the balance of the City, or 15 percent lower. The asking rate for Class B full service lease space in the Project Area was \$1.24 PSF, at 19 percent less than the \$1.53 average for the balance of the City (see Table 17).

Table 17: Comparison of Average Asking Lease Rates

	Project Area		City of Fresno	
	Asking Rate	Percent of Total SF	Asking Rate	Percent of Total SF
Class A				
Full Service	--		\$2.30	
Modified Gross	\$1.66		\$1.61	
Triple Net (NNN)	\$1.91		\$1.86	
Class B				
Full Service	\$1.24		\$1.53	
Modified Gross	\$1.32		\$1.56	
Triple Net (NNN)	--		\$1.48	

Source: Loopnet

b. Abnormally Low Industrial Lease Rates

In order to assess industrial lease rates in the Project Area, listings of available industrial space for lease were obtained from Loopnet.com for the City of Fresno. There were only seven listings posted during the period of March through mid May of 2008 in the Project Area (see Table 18 and Figure 17). Though there were too few listings to be statistically analyzed, some general observations could be made about the available space in the Project Area. All but one of the seven listings was located within the South Van Ness Industrial area. The South Van Ness Industrial area includes a mix of industrial, commercial and residential uses. Much of the industrial building stock is considered functionally obsolete. As described in the 1997 Preliminary Report for the adoption of the South Van Ness Industrial Redevelopment Project, several factors have contributed to this obsolescence:

- Changes in transportation methods (greater reliance on truck transportation rather than rail);
- The development of modern industrial parks with larger lots and well designed truck loading and access;
- Changes in the design of industrial buildings and the age of the industrial building stock (built primarily between 1920 and 1950);

- Incompatible adjacent land uses, especially residential properties adjacent to industrial uses; and
- The streets in the area are in poor condition and do not provide efficient routes through the area.

All of these conditions contribute to this area's reduced desirability relative to planned industrial developments in the City.¹⁹ The square footage of the spaces available ranges from 1,200 to 30,000 square feet, though five of the seven listings were for spaces that were smaller than 10,000 square feet. Asking lease rates ranged from \$0.30 to \$0.59 per square foot. The average asking rate was \$0.29 per square foot.

These data were compared to the listings for the balance of the City. A total of 72 comparison listings were found (see Figure 18 for a map of the industrial lease comparables and Appendix 5C for a list of space available). These listings were located throughout the City, though most were located north of the 180 Freeway. Many were located in modern industrial business parks. Asking rates ranged from a low of \$0.16 to a high of \$1.15, though most were between \$0.40 and \$0.60 per square foot and the overall average asking rate was \$0.49 per square foot. These data indicate that industrial lease rates are abnormally low relative to average of \$0.49 per square foot, or 41% less than industrial space in the balance of the City.

Table 18: Industrial Space for Lease in the Project Area

	Address	Space Available	Total Space/ GLA	Year Built	Asking Rent (sq. ft./month)	Space Type	Lease Type
1.	2305 Los Angeles St	6,550	6,800	1947	\$0.43	Distribution Warehouse	Full Service
2.	1240 S. Parallel Ave	9,650	9,650	1940	\$0.28	Manufacturing	Full Service
3.	2272 S East Ave	30,000	30,000	1960	\$0.30	Distribution Warehouse	Mod. Gross
4.	745 Fulton St	9,518	9,518		\$0.55	Office Showroom	Mod. Gross
5.	240 H. St	1,200	15,000		\$0.42	Warehouse/ Mixed-Use	Mod. Net
6.	1626 S Pearl St	17,500	17,500	1989	\$0.30	Warehouse	Ind. Gross
7.	2130 Monterey St	4,246	4,246		\$0.59	Warehouse	NNN

Source: Loopnet.com

¹⁹ Source: Keyser Marston Associates, Inc.: Preliminary Report, South Van Ness Industrial Redevelopment Project, August 27, 1997, pages 15-16.

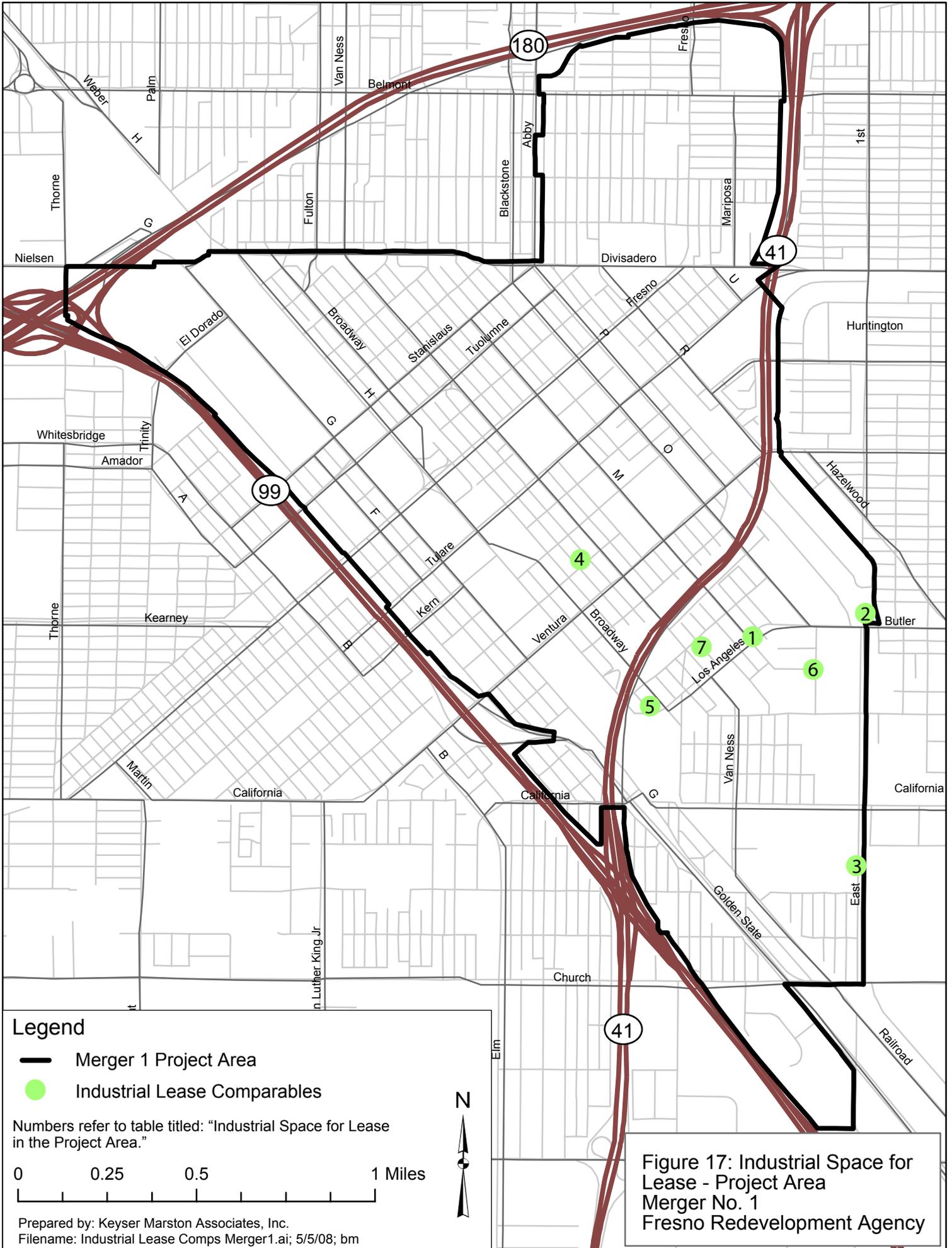
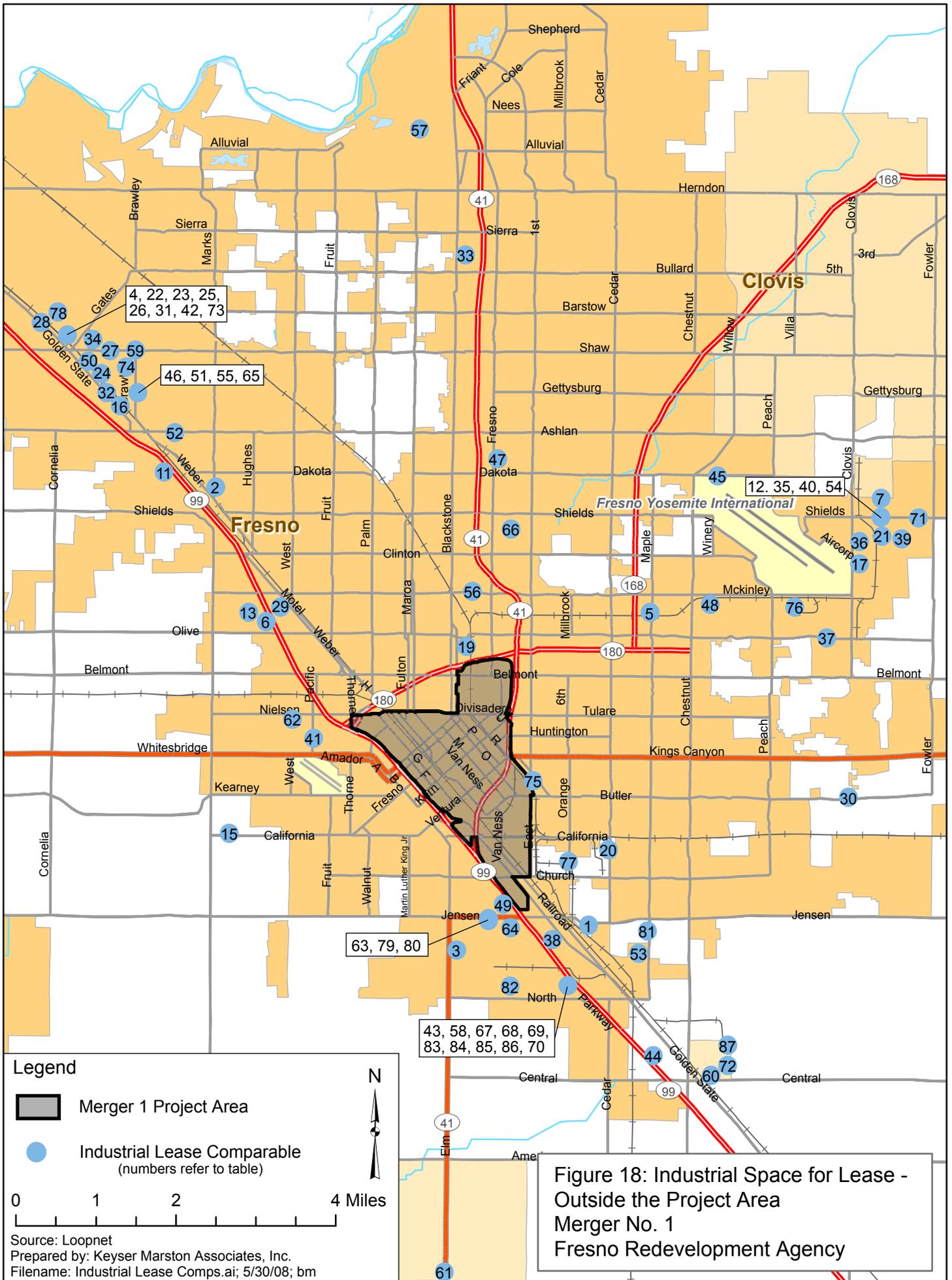


Figure 17: Industrial Space for Lease - Project Area
 Merger No. 1
 Fresno Redevelopment Agency



4, 22, 23, 25, 26, 31, 42, 73

46, 51, 55, 65

12, 35, 40, 54

63, 79, 80

43, 58, 67, 68, 69, 83, 84, 85, 86, 70

Figure 18: Industrial Space for Lease - Outside the Project Area Merger No. 1 Fresno Redevelopment Agency

c. An Abnormally High Number of Vacant Buildings

According to the real estate brokerage firm of Colliers Tingey, the vacancy rate in the central core was 26 percent in 1994. While that vacancy rate has gone down considerably to approximately 10 percent in 2008, there are still a large number of vacant buildings in the Project Area.

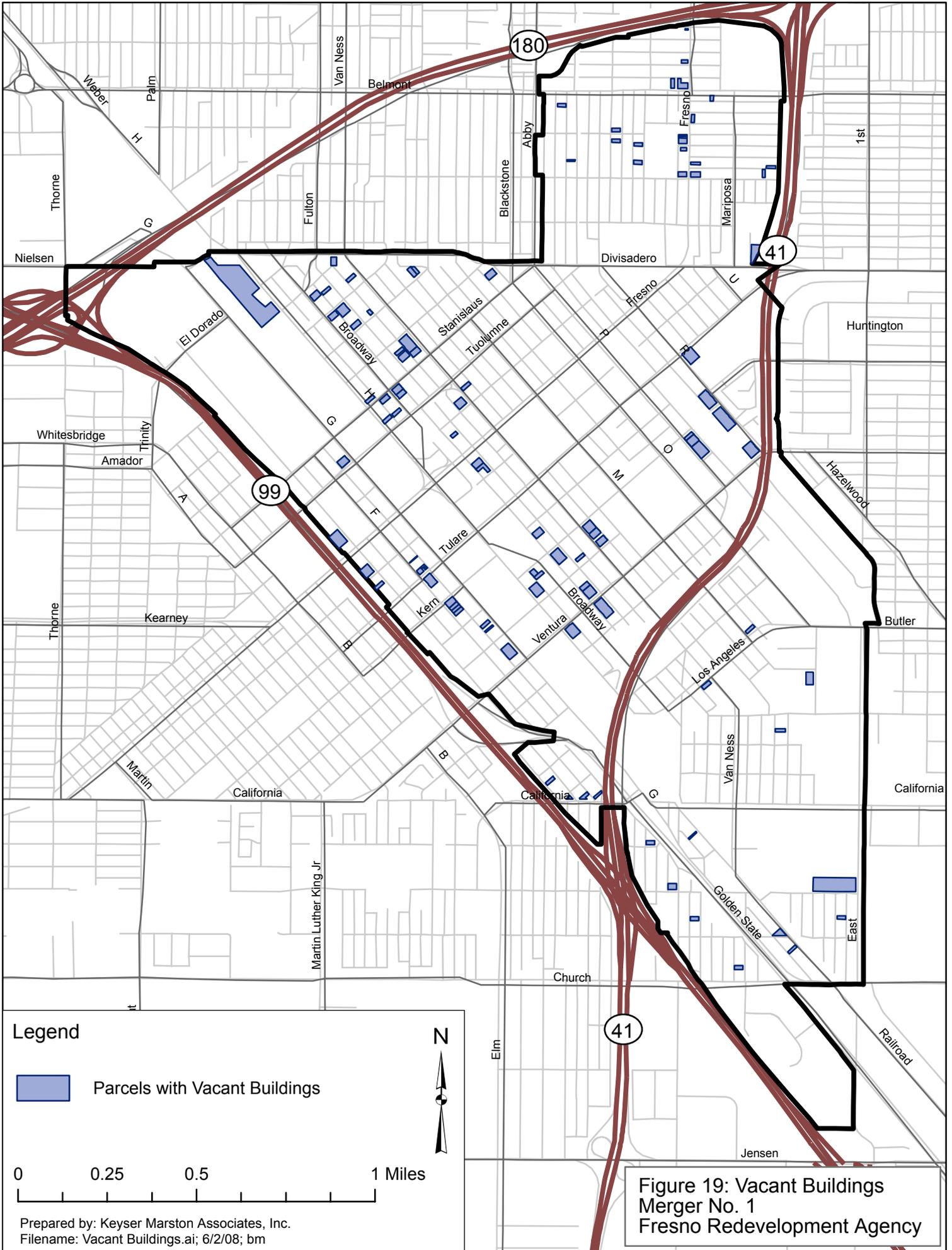
During the field survey, 108 vacant buildings were identified (see Figure 19). Many of these vacant buildings are in poor condition and have been boarded up. Not only do these buildings become nuisances when they fall into disrepair, they can also attract vagrants and illegal activities. As described in the previous subsection describing serious code violations, some of the vacant buildings are so dangerous that the fire department has to be warned of safety hazards such as collapsing floors and ceilings before they could enter in an emergency. According to the National Fire Protection Association (NFPA) two-thirds of fires in vacant properties were incendiary or suspicious, accounting for three-quarters of direct property losses in this category. Between 1993 and 1997, there were 5.6 fire fighter injuries per 100 special structure (including vacant buildings and buildings under construction) fires per year compared to 1.9 injuries per fires at structure fires in general.²⁰

d. Excessive Vacant Lots (definition of blight at plan adoption)

The Project Area has a significant number of vacant lots, many of which have been vacant for long periods of time. As can be seen in Figure 20, the lots are scattered throughout the Project Area, but there are concentrations of them in the Jefferson, West Fresno I, West Fresno II, West Fresno III, Chinatown Expanded, and South Van Ness Industrial areas. In total, there were 501 vacant lots identified during the field survey, representing 18 percent of the parcels in the Project Area. These data are indicative of the excessive vacant lots and lack of investment in the Project Area.

In order to identify lots that have been vacant for a long time, aerial photos of the Project Area taken in 1992 were compared to aerial photos taken in 2005 and the 2008 field survey data, and lots that were vacant in both photos and thus have been vacant for 15 years were identified. The lots that have been vacant for at least 15 years are illustrated on Figure 20. A total of 165 vacant lots have been vacant for 15 years or more, representing 36 percent of the vacant lots and 6 percent of the parcels in the Project Area.

²⁰ Source: "Fighting Vacant Building Fires Presents Fire Fighters with Unique Dangers", City of Fresno, Public Information Office News Release, March 8, 2006.



Legend

 Parcels with Vacant Buildings



0 0.25 0.5 1 Miles

Prepared by: Keyser Marston Associates, Inc.
 Filename: Vacant Buildings.ai; 6/2/08; bm

**Figure 19: Vacant Buildings
 Merger No. 1
 Fresno Redevelopment Agency**

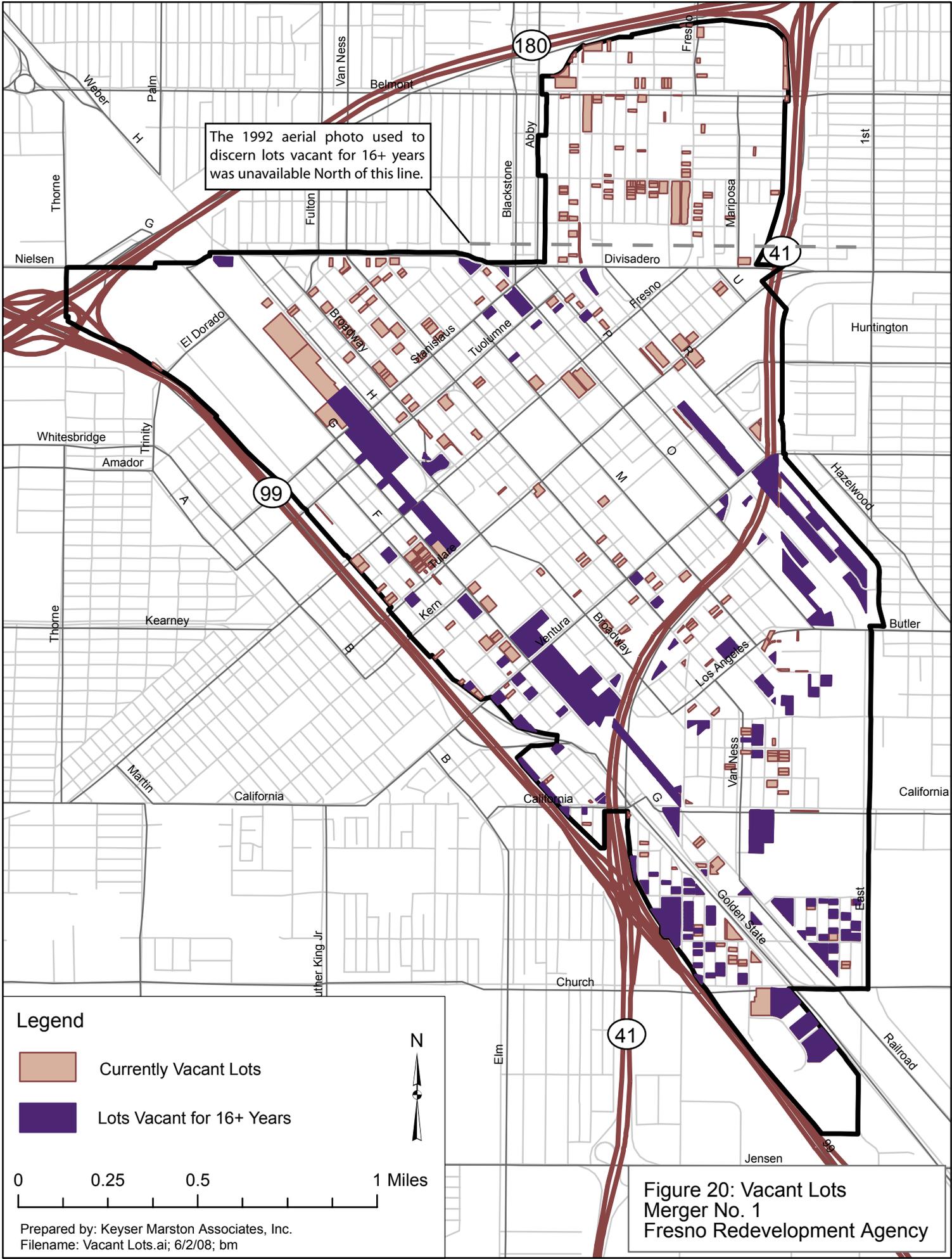


Figure 20: Vacant Lots
 Merger No. 1
 Fresno Redevelopment Agency

3. A Lack of Necessary Commercial Facilities Normally Found in Neighborhoods

a. Lack of Supermarkets

An analysis of the location and number of supermarkets in the Project Area and vicinity reveals that there is a lack of necessary supermarkets. These findings are consistent with the findings of multiple studies of the availability of supermarkets and the impact of inadequate supermarkets on diet and health in low income communities. For example, the California Center for Public Health Advocacy (CCPHA) cited limited access to healthy foods in low-income neighborhoods as one of the causes of childhood obesity.²¹ CCPHA completed an analysis of the rates of childhood obesity in California by State Assembly District. The Project Area and most of the City of Fresno are within Assembly District 31. In Assembly District 31, between 26.6 and 30.3 percent of children are overweight.²² A Los Angeles-area study conducted by the Center for Food Justice (CFFJ) at Occidental College revealed that the most common places to buy food in the low income neighborhoods studied were carryout/fast food restaurants and convenience/liquor/corner stores. While the small convenience stores tend to provide certain dietary staples at low prices (such as milk and bread) they also tend to offer fewer healthy food choices and more nutritional foods such as fresh meats and vegetables tend to be of lower quality.²³

In order to assess the number of supermarkets serving the Project Area, supermarkets throughout the City were identified using web-based directories and field survey data . The locations of the supermarkets are shown on Figure 21 and the supermarkets are listed on Table 19. The terms “grocery store” and “supermarket” may have a variety of meanings depending upon the context. The definitions used in this analysis are based upon the definitions used by the Food Marketing Institute. For the purpose of this analysis, a “supermarket” was defined as a grocery store with a full line of groceries, meat, produce, and some general merchandise and health and beauty products with at

²¹ Source: California Center for Public Health Advocacy (CCPHA): Legislative District Policy Brief No. 1, “Overweight and Unfit Children in California Assembly Districts, page 2. Policy Brief downloaded from the CCPHA website: http://www.publichealthadvocacy.org/policy_briefs/study_documents/Policy_Brief1.pdf.

²² CCPHA, page 4, Map A.

²³ Source: DFFJ, Urban and Environmental Policy Institute, Occidental College. “The Persistence of L.A.’s Grocery Gap: The Need for a New Food Policy and Approach to Market Development.” May 28, 2002, pages 16-17.

least 25,000 to 40,000 square feet of floor area.²⁴ As shown on Figure 21, there is a somewhat regular distribution of supermarkets roughly every two miles throughout most of the City north of the 180 Freeway. However, south of the 180 Freeway, there are only three supermarkets, two of which serve the Project Area.

In order to estimate the number of supermarkets that the Project Area would currently support, an analysis that projected the amount of aggregate household income that would be available for spending in supermarkets within the Project Area was prepared (see Table 20). The percent of household income spent on groceries was estimated based upon the results of a survey²⁵ in low income neighborhoods in South Central Los Angeles, the results of which were published in 1993 under the auspices of the University of California, Los Angeles (UCLA). Entitled *Seeds of Change: Strategies for Food Security for the Inner City*, this study found that the typical low income household spent 35 percent of household income²⁶ on groceries.

Typically, a supermarket draws customers from a 1-3 mile radius. In order to identify the supermarkets that would serve residents within the Project Area, supermarkets that were within a 2-mile radius of the intersection of Van Ness Avenue and Inyo Street near the center of the Project Area were identified. There were two supermarkets identified that are within the 2-mile radius, serving an estimated population of 73,178 in 18,302 households. As shown on Table 20, the Project Area and vicinity could support five supermarkets in 2008, indicating that there is a deficit of three supermarkets.

In five years (2013), based upon the projected population and estimated aggregate household income, the Project Area and vicinity should be able to support a total of six supermarkets. In short, the Project Area and immediate vicinity could support more than double the number of supermarkets currently within the two-mile radius market area.

²⁴ Three stores that would be considered “mini-club” stores (Smart & Final) were also included as supermarkets for purposes of this analysis because their selections more closely resembles that of a supermarket despite the fact that the floor area of one store was smaller than 25,000 square feet (approximately 16,500 square feet) and typically the range of goods offered at these stores is more limited. Two of the supermarkets (a Save Mart and a Food Maxx) also had estimated building square footages that were under 25,000 square feet but were also included in the analysis. The source of food store definitions is the Food Marketing Institute websites at: http://www.fmi.org/facts_figs/?fuseaction=superfact.

²⁵ The survey was part of a comprehensive analysis of food resources in South Central Los Angeles completed by six graduate students and supervised by two professors. *Seeds of Change: Strategies for Food Security for the Inner City* (Los Angeles: University of California, Los Angeles, 1993) pages 162-163.

²⁶ The 1998 Report assumed a smaller portion of household income would be expended on grocery store purchases based upon national average figures. However, given that typically households will purchase necessities as a priority and forgo non-essentials if necessary, it is reasonable to assume that lower income households will spend a higher proportion of their income on groceries. Given that the assumptions used in the current analysis are based upon actual expenditures in a low income neighborhood in California rather than national averages, they are presumed to be more reflective of actual expenditures in the Project Area.

Table 19: Supermarkets in the City of Fresno

No.	Name	Address	Store SF*
1.	Save Mart	2425 N Blackstone Ave	21,300
2.	Save Mart	5750 N 1st St	41,300
3.	Save Mart	4043 W Clinton Ave	50,900
4.	Save Mart	6055 N Figarden Dr	50,300
5.	Costco	4500 W Shaw Ave	137,200
6.	Food-4-Less	8921 N Chestnut Ave	62,500
7.	Food Maxx	1177 Fresno St	57,000
8.	Food Maxx	5422 N Blackstone Ave	82,000
9.	Save Mart	1625 N Fruit Ave	21,000
10.	Save Mart	4120 N West Ave	34,100
11.	Save Mart	2650 E Shaw Ave	60,000
12.	Save Mart	7075 N Marks Ave	38,600
13.	Save Mart	2066 W Bullard Ave	36,200
14.	Save Mart	1107 E Champlain Dr	49,100
15.	Save Mart	3750 W Shields Ave	39,300
16.	Save Mart	6797 N Milburn Ave	66,000
17.	Save Mart	4041 E Ashlan Ave	34,100
18.	Smart & Final	5700 N Blackstone Ave	51,100
19.	Smart & Final	3330 W Shaw Ave	27,000
20.	Smart & Final	631 H St	16,500
21.	Trader Joe's	5376 N Blackstone Ave	30,800
22.	Vons	1650 E Herndon Ave	55,500
23.	Vons	8949 N Cedar Ave	57,000
24.	Vons	7733 N 1st St	39,100
25.	Vons	4343 N Blackstone Ave	42,600
26.	Vons	3850 N Cedar Ave	48,000
27.	Vons	5638 E Kings Canyon Rd	62,300
28.	Whole Foods	650 W Shaw Ave	28,900
29.	Win Co Foods	4488 W Shaw Ave	44,400

Store square footage estimated from aerial photos.
Source: Switchboard.com

Table 20: Estimated Number of Supportable Supermarkets

	<u>2008 (Estimated)</u>	<u>2013 (Projected)</u>
Study Area No. of Households	18,302	18,983
Median Household Income	\$23,621	\$27,400 ¹
Est. aggregate household (HH) income	\$432,311,500	\$520,141,000
Est. household income spent on groceries ² at 35%	\$151,309,000	\$182,049,400
Less estimated percent of grocery budget spent at small markets and specialty stores 25%	(\$37,827,250)	(\$45,512,350)
Aggregate HH income spent at supermarkets	<u>\$113,481,750</u>	<u>\$136,537,050</u>
Number of grocery stores supportable in the Project Area and vicinity at \$21.9 million in sales per store ³	5	6
No. of supermarkets serving the Project Area (2-mile radius)	<u>2</u>	<u>2</u>
Supermarket surplus/(deficit)	(3)	(4)

NOTES

¹2008 median household income adjusted at 3% inflation per year.

²Based upon the results of a survey of food cost for the USDA Thrifty Food Plan based upon the average weekly consumption for a family of four. Survey conducted under the auspices of the University of California Los Angeles (UCLA) by Ashman et al as reported in "Seeds of Change" Study, 1993.

³Based upon the median average weekly sales per supermarket in 2006 as reported by Kroger (Ralphs and Food 4 Less), Albertsons and Safeway.

Another way of examining the number of supermarkets serving the Project Area and immediate neighborhood is to examine the ratio of supermarkets to population. As shown in Table 21, there are 2.7 supermarkets per capita (100,000) serving the Project Area while there are more than twice as many (6.2 per 100,000) serving the City overall. There is one supermarket serving every 36,600 persons in the Project Area and vicinity but one per every 16,200 serving the City overall.

Given the estimated number of supermarkets that the area could support versus the number of supermarkets in the Project Area, and the disproportionate number of persons per supermarket relative to the number and location of supermarkets in the City overall, these data are indicative of the lack of necessary supermarkets serving the Project Area.

Table 21: Comparison of Supermarkets and Population

	Project Area (2-mile radius)	City of Fresno
Population	73,178	470,179
No. of supermarkets	2	29
Supermarkets per capita (per 100,000)	2.7	6.2
No of persons per supermarket	36,600	16,200

Source: Claritas, Switchboard.com

4. Serious Residential Overcrowding That Has Resulted in Serious Public Health or Safety Problems

Based upon the most commonly accepted definition of overcrowding, which is used by the U.S. Department of Housing and Urban Development (HUD), an overcrowded housing unit is one which has more than 1.0 person per room.²⁷ A severely overcrowded unit is one which has more than 1.50 persons per room.

The 1998 Report included a comparison of the percentage of housing units that were overcrowded in the Project Area census tracts to the percentage for the City as whole, based upon 1990 census data. Results indicated that while one third of the housing units in the Project Area were overcrowded, only 22 percent of housing units in the City were overcrowded. Thirteen percent of the housing units were severely overcrowded in the Project Area while just over 7 percent of housing units in the City were severely overcrowded. These data indicated that the problems of overcrowding, which affect many communities in California, were especially severe in the Project Area, where the percentage of overcrowded housing units is more than 2.5 times higher than the percentage of overcrowded housing units in the City as a whole.

²⁷ The definition of "room" excludes bathrooms, laundry rooms, utility rooms, pantries, and unfinished rooms.

According to the American Public Health Association (APHA) and the Centers for Disease Control and Prevention (CDC)²⁸ residential overcrowding most directly affects physiological and psychological needs of human beings, namely the fundamental physiological need for adequate space for exercise and for children to play, and the fundamental psychological need for: 1) adequate privacy for the individual; 2) opportunities for normal family life; 3) opportunity for normal community life; 4) facilities for maintenance of cleanliness of the dwelling and the person; and 5) concordance with prevailing social standards of the local community.²⁹ According to the APHA's Committee on the Hygiene of Housing, repeated studies have shown that lack of space and quiet due to crowding can lead to poor school performance in children.³⁰

Overcrowding may also negatively affect another fundamental need: protection against disease. Adequate living and sleeping space is important in protecting against contagion. Overcrowding [excessive crowding] in homes has the potential to increase not only communicable disease transmission, but also the stress level of occupants because modern urban individuals spend considerably more time indoors than did their 1940s counterparts when the first housing census was conducted.³¹

The stressors associated with overcrowding and housing affordability also contribute to health problems of residents. An article published in the American Journal of Preventative Medicine describes it thusly:

“Today, housing quality and overcrowding problems are less severe than in the past, but they have not vanished and they have been joined by another significant housing challenge: affordability. A sizable share of the households in these troubled neighborhoods pays more than half of their incomes for rent. Given restricted incomes and the paucity of housing subsidies, these households are living on the edge. Any illness or family

²⁸ According to the *Healthy Housing Reference Manual* published by the Centers for Disease Control and Prevention (CDC), people spend 50 percent or more of every day inside their homes and thus their housing environment constitutes one of the major influences on health and well-being. According to the CDC Manual, the link between housing and health were elucidated more than 60 years ago by the American Public Health Association (APHA) Committee on the Hygiene of Housing (CHH). In 1938, the CHH created the *Basic Principles of Healthful Housing*, which provided guidance regarding the fundamental needs of humans as they relate to housing. These fundamental needs include physiological and psychological needs, protection against disease, protection against injury, protection against fire and electrical shock, and protection against toxic and explosive gases.

²⁹ The nine fundamental physiological needs are listed on pages 2-1 and the seven fundamental psychological needs for healthy housing are listed on pages 2-3 of the Healthy Housing Manual.

³⁰ *Healthy Housing Manual* (Washington, D.C.: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2006), pages 2-3.

³¹ Healthy Housing Manual, pages 2-5.

disruption that causes them to lose their income stream even temporarily can lead quickly to eviction.... It has been shown that stress brought about by living in crime-ridden areas can undermine health and that the impact gets more serious the longer one is exposed. It is not unreasonable to assume that prolonged stress brought about by recurrent fear of homelessness works the same way.”³²

An analysis of 2000 census data for the census tracts overlaying the Project Area (see Table 22 and Figure 22) revealed that overcrowding has increased in the Project Area. As shown in Table 22, in the Project Area 11 percent of housing units are considered overcrowded and 27 percent are severely overcrowded.

Table 22: Residential Overcrowding

Persons Per Room		<u>Project Area*</u>		<u>City of Fresno</u>		<u>Fresno County</u>	
		# of Units	% of Total	# of Units	% of Total	# of Units	% of Total
1.00 or Less	(Ideal)	2,081	63%	116,289	83%	209,631	83%
1.01 – 1.50	(Overcrowded)	356	11%	10,140	7%	18,364	7%
1.51 or more	(Severely Overcrowded)	889	27%	13,522	10%	24,945	10%
Total		3,326		139,951		252,940	
Overall Percent of Overcrowded Units			37%	17%		17%	

*17 U.S. Census block groups. Percentages may not add due to rounding.
Source: U.S. Census Bureau

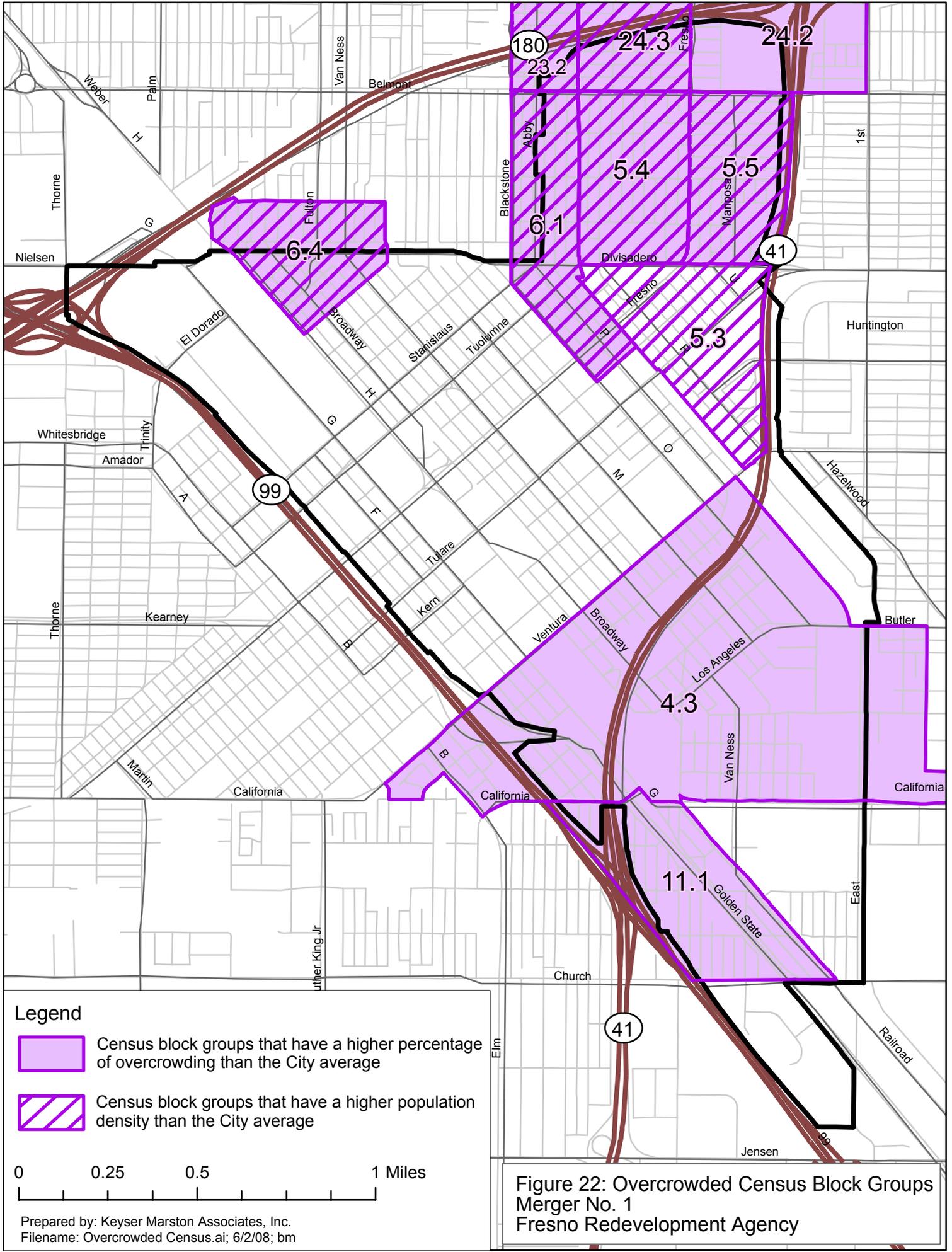
The overall percentage of overcrowded units in the Project Area is more than twice that for the City and the County.

Further evidence of overcrowding can be discerned from the population densities within the census block groups that overlay the Project Area. As shown in Table 23, there are 16 census block groups that overlay the Project Area.³³

The percentage of the housing units that are overcrowded exceeds the Citywide average (17 percent) in 9 of the 16 census block groups. In 4 of the 6, more than half of the

³² G. Thomas Kingsley, MCP, “Housing, Health, and the Neighborhood Context,” *American Journal of Preventive Medicine* 2003, Vol. 24, No. 3S, pages 6-7.

³³ One census tract, number 12.01.1, was excluded from this analysis because it includes only a very small portion of the Project Area.



housing units are overcrowded. The 4 tracts with more than 50 percent of the units being overcrowded account for a significant portion of the Jefferson area, which has the highest number of residents among the Constituent Project Areas and a total of 1,302 or 39 percent of the housing units in the Project Area.

Table 23: Percent of Overcrowded Occupied Housing Units and Population Density

Census Block Group	Related Subarea(s)	Total Housing Units	Percent of Housing Units Overcrowded	Population Density (Persons/Acre)*
1.1	Fulton	14	0%	358
1.2	Fulton, CBD	352	2%	13,310
2.1	West Fresno I & West Fresno II	-	NA	0
3.1	Chinatown Expanded	75	0%	842
4.3	Convention Center, Chinatown Expanded, South Van Ness Ind.	215	46%	1,654
5.3	Mariposa	354	13%	5,959
5.4	Jefferson	428	56%	12,420
5.5	Jefferson	390	68%	14,192
6.1	Mariposa, Fulton	239	44%	5,893
6.2	Convention Center, Mariposa	-	NA	206
6.3	Fulton	34	0%	3,236
6.4	Fulton	405	23%	9,158
11.1	South Van Ness Ind.	82	45%	2,000
23.2	Jefferson	107	52%	5,156
24.2	Jefferson	254	30%	3,768
24.3	Jefferson	377	59%	11,688
Project Area		3,326	37%	4,553
City of Fresno		139,951	17%	4,329

Density and City total acreage based upon 2005 population and acreage. Census block groups shown in bold have a higher percentage of housing units that are over crowded than the Citywide average.
Source: Claritas, City of Fresno, U.S. Census

In addition, conditions that are typical indicators of overcrowding were noted during the field survey. These conditions included:

- Trailers or RVs used as permanent housing
- Garage conversions
- Abundant or excessive open storage
- Excess vehicles parked on lawns

There were a total of 498 incidents of these conditions noted affecting 400 or 14 percent of parcels in the Project Area.

These data indicate that the Project Area has a significant number of overcrowded housing units and that overcrowding is continuing to become a more severe problem. The high levels of overcrowding coupled with the deteriorated condition of many of the housing units (as described herein and shown on Figure 6) and high levels of code complaints, indicate that there are unsafe, unhealthy and overcrowded living conditions in portions of the Project Area.

5. An Excess of Bars, Liquor Stores and Other Liquor Outlets

The links between the availability of alcohol and threats to the public health and safety have been well established throughout the U.S. Problems such as traffic accidents and fatalities, homicides and violent assaults have been shown to be aggravated by the use of alcohol.³⁴ An article published in *USA Today* described the crackdown on drunk driving instituted in the City of Fresno to reduce driving fatalities where alcohol is involved by setting up checkpoints and bar sting operations.³⁵

In order to promote temperance in the use and consumption of alcoholic beverages, and to protect the safety, welfare, health, peace, and morals of the people of California, the State Legislature enacted Section 23000 et seq. of the California Business and Professions Code, i.e., the "Alcoholic Beverage Control Act." The regulations are administered by the California Department of Alcoholic Beverage Control (ABC) throughout California. The ABC reviews applications for licenses to sell or distribute alcoholic beverages and controls the number of licenses issued. ABC retail licenses fall into two broad categories: "on-sale" licenses for the sale of alcoholic beverages to be consumed on the premises of the sale and "off-sale" licenses for the sale of alcoholic beverages to be consumed off the premises of the sale. The most common types of retail licenses are summarized on Table 24.

³⁴ An analysis of the prevalence of alcohol involvement in crime by the U.S. Department of Justice found that an estimated 32 percent of fatal accidents involved an intoxicated driver or pedestrian (the majority were drivers). Among violent crime victims who provided information about the offender's use of alcohol, 35 percent of the victimizations involved an offender who had been drinking. Among victims who suffered violence by an intimate (a current or former spouse, boyfriend or girlfriend), two-thirds reported the offender had been using alcohol. Source: *Alcohol and Crime. An Analysis of National Data on the Prevalence of Alcohol Involvement in Crime* (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, revised April 28, 1998, pages v and vi.

³⁵ Copeland, Larry, "Some see Fresno's DUI crackdown as a model," *USA Today*, 6 November 2006, downloaded March 25, 2008 at: http://www.usatoday.com/news/nation/2006-11-05-fresno-dui-model_x.htm

Table 24: Types of Retail Alcoholic Beverage Licenses

License Type	Description
On-Sale General	Authorizes the sale of all types of alcoholic beverages (beer, wine and distilled spirits) for consumption both on the premises and the sale of beer and wine for consumption off the premises. Bars and restaurants that serve alcohol would be included in this category.
Off-Sale General	Authorizes the sale of all types of alcoholic beverages for consumption off the premises in original, sealed containers. Supermarkets and liquor stores generally fall into this category.
On-Sale Beer and Wine	Authorizes the sale of all types of wine and malt beverages for consumption on and off the premises. Typical businesses in this category include restaurants that serve beer and wine only.
Off-Sale Beer and Wine	Authorizes the sale of all types of wine and malt beverages for consumption off the premises in original, sealed containers. Mini- and quick-stop markets (i.e. 7-Eleven or an AM-PM Mini Mart) would fall into this category.

Source: ABC website at: http://www.abc.ca.gov/questions/licenses_faq.html

The ABC has the authority to refuse to issue a license under certain conditions and may also place restrictions on the operations of a licensee. For example, the ABC may limit the hours of operation or impose other restrictions to alleviate objections to the premises' operation. Such restrictions have been imposed on operations in the vicinity of churches, schools and residential areas.

In addition to regulating the types of establishments that sell alcohol and their operations, there are also restrictions on the number of licenses that may be issued at any one time based upon the number of licenses per capita city-wide and/or county-wide. The ABC may limit the number of new licenses issued to conform to those limits. As shown in the following table, the number of on-sale general and off-sale general licenses are limited on a county-wide basis; the number of off-sale beer and wine licenses is limited on a city-wide and county-wide basis; and the number of off-sale beer and wine and off-sale general licenses combined is limited on a city-wide and county-wide basis. Nevertheless, the control of licenses on a city- or county-wide basis does not prevent over-concentration of liquor outlets within specific communities. Furthermore, the ABC does not impose a limit on the number of on-sale beer and wine licenses in a county or a city. As shown on Table 25, the Project Area includes a significantly higher proportion of liquor outlets than the City and the County overall.

Table 25: Comparison of Alcohol License Ratios

License Type and Limit	ABC Limit	Project Area	Fresno City	Fresno County
On-Sale General (limit per 2,000 persons Countywide)	1	2.25	0.97	0.78
Off-Sale General (limit per 2,500 persons County)	1	2.11	1.24	0.97
Off-Sale Beer and Wine (limit per 2,500 persons City and County)	1	3.51	1.55	1.57
Off-Sale Beer and Wine AND Off-Sale General (limit per 1,250 persons City and County)	1	2.81	1.4	1.27
On-Sale Beer and Wine per 1,000 persons	NA	1.59	0.66	0.60
Retail Licenses per 1,000 persons	NA	4.97	2.26	2.01

NA = not applicable. Sources: 2007 Population estimates from Claritas; ABC license data from the ABC website: <http://www.abc.ca.gov/>

While the number of on-sale and off-sale licenses in the County are below the ABC limits, the number of such licenses within the Project Area is more than double the ABC limit. While the number of off-sale licenses (both general and beer and wine) exceed the ABC limits in both the City and the County overall, the number of licenses within the Project Area is more than double the rate of licenses in the City and the County. While the higher concentration of on-sale licenses may be attributable to the high daytime population in the City's downtown that would frequent restaurants and bars, this would not account for the higher proportions of off-sale licenses. In addition, the overall number of retail alcohol licenses per capita (per 1,000) in the Project Area is more than double the number for both the City and County. These data indicate that there is an over-concentration and excess of retail outlets for alcohol in the Project Area.

6. A High Crime Rate That Constitutes a Serious Threat to the Public Health and Safety

The 1998 Report included an analysis of per capita crime rates (per 100 persons) in the Project Area census tracts in comparison to the crime rate Citywide for a one-year period (November 1995 through October 1996). The crime rate in the Project Area was over 89 percent higher, at 36.78 versus only 20.83 percent Citywide.

Crime data was obtained from the Fresno Police Department (FPD) for the period 1998-2006. As shown in Table 26, crime rates for both violent crime (homicide, rape, robbery and aggravated assault) were considerably higher in the Project Area, as were crime rates for property crime (burglary, larceny (theft) and motor vehicle theft). Overall, from 1998 through 2006, the rate of homicides was more than 3.5 times higher, the rate of

rapes was more than 5.3 times higher, the rate of robberies was 3.4 times higher, and the rate of aggravated assault was more than 2.7 times higher than the rate in the City as a whole. For property crimes, the rate of burglaries was 1.7 times higher, the rate of larcenies was 1.5 times higher, and the rate of motor vehicle theft was 1.6 times higher.

Table 26: Comparison of Crime Rates (1998 – 2006)

	Project Area	City
Homicide	2.98	0.83
Rape	18.64	3.46
Robbery	95.43	27.66
Aggravated Assault	122.37	44.79
Total Violent Crime	239.42	76.74
Burglary	159.93	93.95
Larceny	547.53	358.17
Motor Vehicle Theft	189.47	120.24
Total Property Crime	896.92	572.37

Crime rates per 1,000 persons. Population as of 2000 and based upon US. Census data.
Source: Fresno Police Department, Claritas

These higher crime rates are a threat to the health and safety of persons in the Project Area.

E. INADEQUATE PUBLIC IMPROVEMENTS (definition of blight at plan adoption)

In 2007, a Downtown Transportation and Infrastructure Study (DTIS) was prepared for the City by Wilbur Smith Associates to examine previous land use and transportation plans and studies, assess the status of implementation of the various plans, and outline a strategy for implementing transportation improvements. The DTIS examined railroad access, traffic, public transit, parking, pedestrian access, bike access, the Fulton Mall, and way-finding issues. The DTIS limited its analysis to the core area bounded by the 180, 41 and 99 Freeways, and thus included all of the Project Area with the exception of the South Van Ness Industrial area.

The DTIS summarizes several key infrastructure and traffic issues that have had an impact or have the potential to impact the redevelopment of the Project Area. Agency participation in efforts to address these issues will be essential for alleviating the blighting influences of some of these conditions.

The potential railroad consolidation of BNSF and UPRR operations: The City is considering a Railroad Consolidation Plan that calls for moving BNSF freight trains and Amtrak passenger trains onto the UPRR corridor through the Project Area. This would free the BNSF right-of-way for non-railroad use. Though the Agency and the City do not have control over the decisions regarding rail consolidation, the decision to undertake consolidation would have a major impact on the Project Area, not only on the areas that include the UPRR right-of-way, i.e., the Chinatown Expanded, West Fresno I, West Fresno II and West Fresno III, and South Van Ness Industrial areas, but also on the adjacent CBD, Convention Center and Fulton areas that are within one block of the right-of-way. A passenger terminal and additional track would be needed along the UPRR right-of-way. The location of rail crossings (either above grade or below grade) and other key decisions will affect pedestrian crossings, street configuration and closures, and land uses in these areas. The types of development that would be allowed on the former BNSF right-of-way would need to be carefully considered and integrated into any land use and development planning for the downtown as a whole, thereby having a direct impact on the Mariposa and South Van Ness Industrial Areas.

The potential establishment of a California High Speed Rail (HSR): The HSR would establish passenger rail service on the UPRR right-of-way between Southern and Northern California. As with rail operation consolidation, the City and the Agency will not have control over the decision to construct the HSR. Nevertheless, if the Fresno station for the HSR is established in the downtown (which is the location recommended by the DTIS), it will have a major impact on the UPRR corridor and surroundings.

Street grid conflicts: The awkward street grid interfaces between the original diagonal street grid in the downtown core and the more recent north-south street orientation for areas adjacent to the core causes confusion. Along the seams where the different grid street networks interface (primarily along Divisadero Street), it is unclear which traffic lane to use. It is very easy for motorists to become disoriented and lost. The DTIS highlights the SR-41 interchange at Tulare Avenue and Divisadero Street in and adjacent to the Mariposa Area as particularly confusing.

The discontinuity of the street grid due to railroad barriers and development barriers: Train movements along both railroad corridors cause traffic delays. The pedestrian crossings cause traffic delays, pose accident risks, and increase train noise (horns). The development of the Regional Medical Center has truncated Divisadero Street and there is no signage to guide motorists from one side of Divisadero Street to the other. O Street is truncated by the Cesar Chavez Adult Education Center and Mono Street is truncated by the Convention Center. The Fulton Mall closes Fulton Street for vehicular traffic and Kern Street has been closed for a pedestrian path between O and M Streets. The IRS complex blocks the connection of Broadway with Fresno Street. Collectively these discontinuities in the street grid tend to confuse motorists and increase turning movements. Traffic turning movements adversely

impact system capacity, increase traffic delays, increase accident risks, and increase conflicts with pedestrians. A map illustrating the key railroad and development barriers from the DTIS is included as Figure 23.

Atypical one-way street spacing between P and M Street one-way couplets: Typically, one-way street couplets are located one block apart, which tends to minimize out-of-direction travel and simplifies the understanding of traffic patterns for motorists. However, the P and M Street couplet is three blocks apart, with O Street providing some local circulation between the two one-way pair streets. This makes it more difficult for motorists to understand the street traffic pattern.

A weak hierarchy of streets: It is difficult for a motorist to distinguish visually which streets are major traffic carriers and which are local access and circulation streets. The City's General Plan street classification system is geared towards suburban street categories.

Ineffective way-finding system: Due to the meshing of the different street grids, the discontinuities in the street grid and mixed-use of one-way streets, motorist confusion becomes a major design challenge. Better signage is needed to major downtown destinations, to freeway access points, and to better inform motorists at atypical intersections.

Intersection deficiencies: Many intersections in the Project Area are confusing to motorists because of their configuration. The following are intersections cited in the DTIS as deficient. A map of the "confusion spots" within the downtown from the DTIS is included as Figure 24.

- Connections to G and H Streets near the UPRR right-of-way: Because of the distances required to overpass or underpass the UPRR tracks, some streets are not directly connected to G and H Streets. Stanislaus and Tuolumne Streets cross over G and H Streets and require connecting traffic to have prior knowledge of this configuration and make a few extra turns to make the connection. Signage for these connections is not provided. The Fresno Street linkage to H Street is partial and not effectively signed.
- Broadway Diagonal: When the IRS complex at Broadway and Tuolumne Street was developed, the Broadway Diagonal was blocked off but not removed. The remnants of the Diagonal between Broadway and Vann Ness Avenue confuse motorists and are visually blighting. The intersection of Broadway Plaza with Fresno Street is also confusing.
- Divisadero Street Intersections: Divisadero Street intersections with H Street, North Fulton Street, Maddy Drive, Fresno Street and Tulare Street are all atypical designs, which confuse motorists. The junction of the Blackstone Avenue/Abby Street couplet with O and P Streets and with Stanislaus and Tuolumne Streets at Divisadero Street is very confusing.

FRESNO DOWNTOWN TRANSPORTATION PLAN



NORTH
NOTTO SCALE

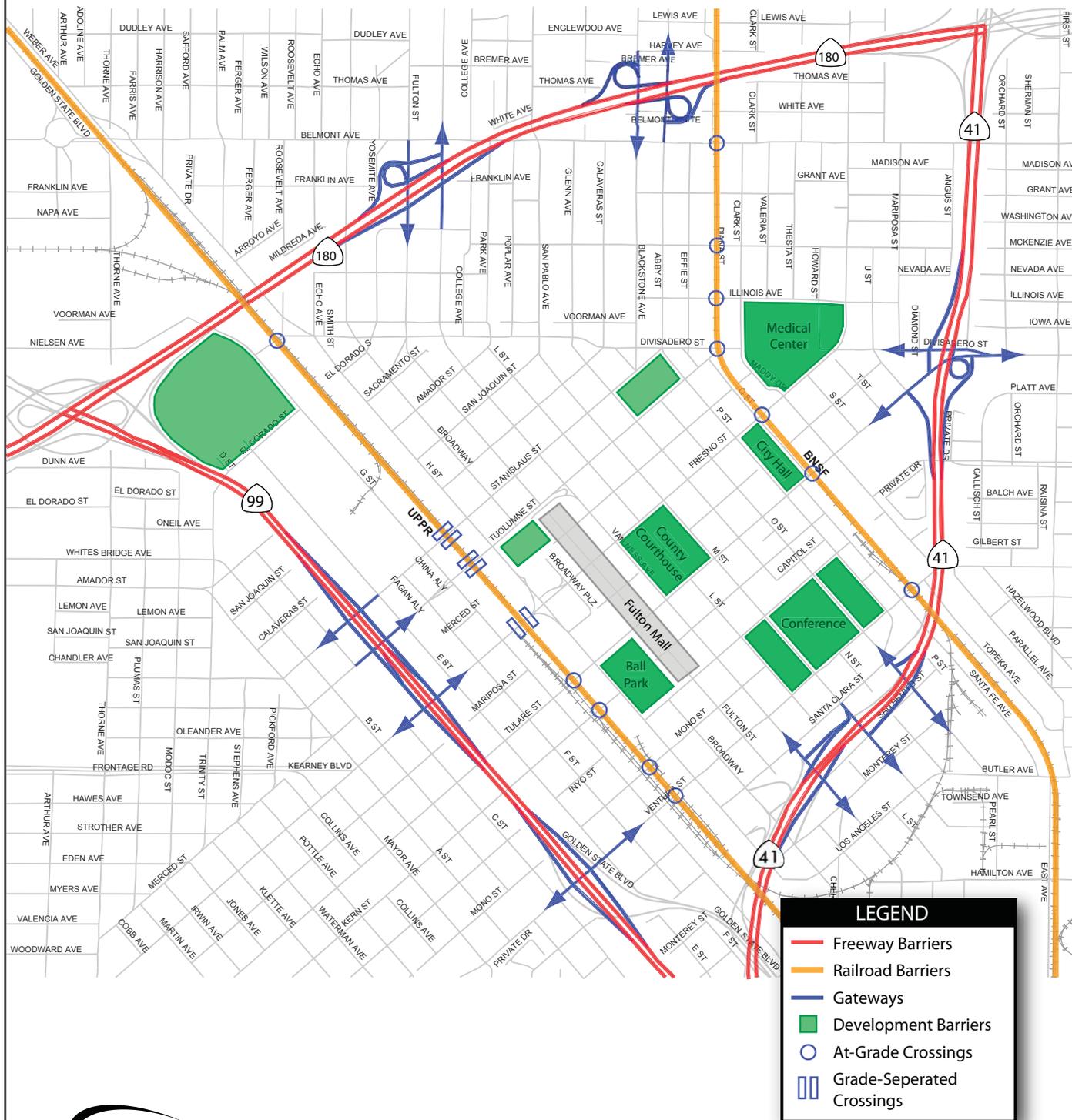


Figure 3-3
BARRIERS AND GATEWAYS MAP

100576/BASE - 09/10/07

Figure 23: Railroad and Development Barriers Merger No. 1
Fresno Redevelopment Agency

FRESNO DOWNTOWN TRANSPORTATION PLAN



NORTH
NOT TO SCALE



LEGEND

- Confusion Spots



Figure 3-4
CONFUSION SPOTS
100576/BASE - 09/10/07

Figure 24: Deficient Intersections and Confusion Spots
Merger No. 1
Fresno Redevelopment Agency

Parking issues: There is no comprehensive parking plan for the downtown as recommended in the Central Area Community Plan. There are two parking exempt areas in the Project Area: the Central Business District Exempt Parking District and the West Fresno Business District Exempt Parking Area. However, the boundaries of these districts are not consistent with any other downtown district or land use boundaries. The analysis of parking in the DTIS indicated that there is a surplus of parking in the downtown. However, some of the available parking is on surface lots that may be developed in the future. Therefore, the City and the Agency will need to coordinate efforts to ensure that the Project Area has sufficient parking.

The DTIS recommended the development of a comprehensive parking management strategy for the downtown. One of the critical considerations for developing a comprehensive parking management strategy will be the location of parking and distance from desired destinations. The willingness of motorists to walk distances is affected by the pedestrian experience and their trip's purpose. The DTIS states:

“In an economically vibrant downtown, motorists are more willing to walk longer distances from their parking space to their destination. This is particularly true of long-term employee parking, but even special event parkers are willing to tolerate longer walking distances. Shoppers and diners tend to insist on short walks to/from parking... A three block walk is probably all that most motorists might accept, except for special events or for price discounted spaces for commuters.”³⁶

For these and other reasons, creating a vibrant downtown with a high quality pedestrian experience will be critical to the effective redevelopment of the Project Area. The Agency will need to work cooperatively with the City in the improvement of pedestrian crossings, way-finding, and other measures to improve the pedestrian experience downtown and encourage more street activity.

The lack of adequate way-finding signage: The DTIS identifies the discontinuity of streets as one of several factors (several of which are discussed above) that frustrate all road users (motorists, bicyclists, transit riders and pedestrians). The DTIS states:

“Because the downtown functions as the government center of the City and County of Fresno, it attracts numerous visitors, especially during the weekday. Many are unfamiliar with the entry and exit routes, direction of one-way traffic flows, and locations of off-street parking facilities, transit services, bicycle routes and pedestrian pathways. The difficulty of traveling to/from and within downtown

³⁶ *City of Fresno Downtown Transportation and Infrastructure Study* (Wilbur Smith Associates, October 2007), p. 5-9.

is complicated by the different street grids, circulation discontinuities, and the irregular freeway ramps systems.”

The DTIS includes a series of recommendations to improve signage in the downtown, including use of urban design and signage to define a user-oriented hierarchy of downtown streets, and using signage to clarify efficient vehicle movements through the street grids and freeway access, adding street names to overhead land designation signs to complement movement arrows, and using color coded signs to sort motorists, pedestrians and bicyclists to their desired destinations.

F. SUMMARY OF BLIGHTING CONDITIONS

As described in this Report, there are a number of blighting conditions, both physical and economic, that contribute to significant remaining blight in the Project Area.

1. Buildings in which it is unsafe and unhealthy for persons to live or work, as evidenced by deteriorated and dilapidated buildings, unreinforced masonry buildings, and a disproportionate share of serious building code violation complaints.
2. Conditions that present or substantially hinder the viable use or capacity of buildings or lots, as evidenced by substandard buildings and obsolete buildings.
3. Depreciated or stagnant property values, as evidenced by depreciated and stagnant assessed property values, and low median property sales prices for retail, office, and industrial properties and for single-family homes.
4. Abnormally low lease rates for office and industrial space, and an abnormally high number of vacant buildings and vacant lots.
5. A serious lack of necessary commercial facilities are normally found in neighborhoods, as evidenced by the serious lack of supermarkets serving the Project Area and vicinity.
6. Serious residential overcrowding that has resulted in significant public health or safety problems, as evidenced by a relatively high percentage of over crowded units and high residential densities.
7. An excess of liquor stores, as evidenced by the much higher rate of alcohol licenses per capita.

8. A high crime rate that constitutes a serious threat to the public safety and welfare, as evidenced by higher crime rate per capita.
9. Inadequate public improvements

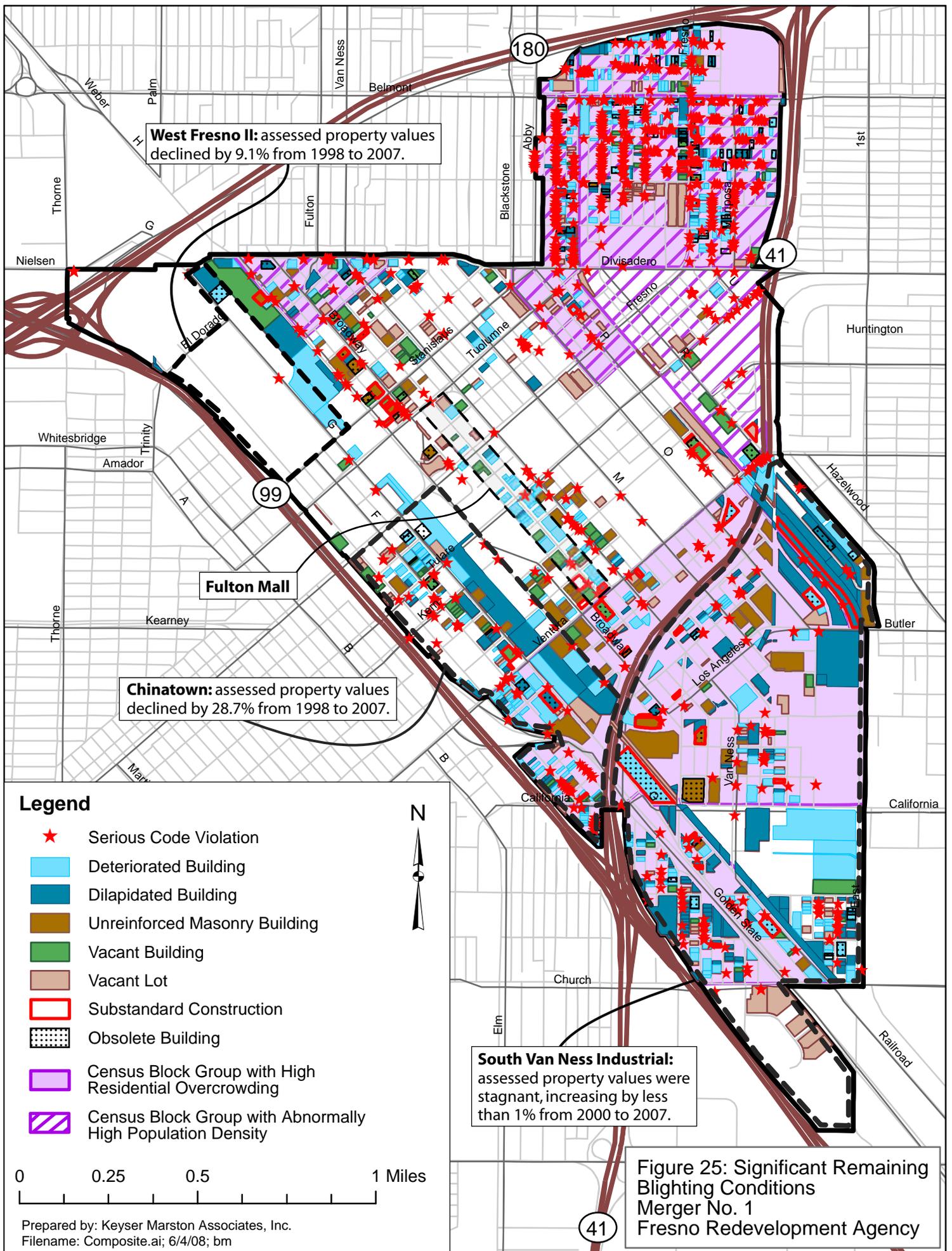
These remaining blighting conditions are substantial and some are prevalent throughout various portions of the Project Area. The significant remaining blighting conditions are summarized on Table 27 and illustrated in Figure 25.

Table 27: Summary of Significant Remaining Blighting Conditions

Blight Definition	Blighting Conditions
<p>Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.</p>	<p>Thirty-four percent (34%) of the buildings are either deteriorated or dilapidated. There are 131 unreinforced masonry buildings within the Project Area, 59% of which are deteriorated and dilapidated. Combined, these conditions affect 36% of the properties in the Project Area.</p> <p>The Project Area has a disproportionate share of serious code complaints. A total of 2,059 serious code complaints, or 388 per year, were made between 2003 and 2007.</p>
<p>Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards.</p>	<p>There are 119 substandard buildings and 53 obsolete buildings in the Project Area, affecting 144 or 5% of the total properties in the Project Area.</p>
<p>Depreciated or stagnant property values.</p>	<p>Over the nine-year period from 1997-98 and 2006-07, the Chinatown Expanded, West Fresno II and South Van Ness industrial areas all experienced stagnant or declining assessed property values. These three areas represent 47% of the total acreage and 34% of the total parcels of the Project Area.</p> <p>Between 2002 and 2007, the annual median sales prices for retail properties in the Project Area were below the medians for the balance of the City. In 4 of the 6 years analyzed, the median sales prices for retail property sales were also below replacement costs, indicating functional obsolescence.</p> <p>During the same period, the annual median sales prices for office properties were well below the medians for the balance of the City. In 4 of the 6 years analyzed, the median sales prices for office property sales were below replacement costs, indicating functional obsolescence.</p> <p>The annual median sales prices for industrial properties were below the median sales prices for the balance of the City in 4 of the 6 years analyzed.</p> <p>Annual median sales prices for single-family homes were below median sales prices for the balance of the City, both on a sales price and on a sales price-per-square-foot basis.</p>

Table 27: Summary of Significant Remaining Blighting Conditions (continued)

Blight Definition	Blighting Conditions
<p>Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.</p>	<p>The average asking lease rate for Class B office space (representing 52% of available space listed) in the Project Area is 19% below the average for the balance of the City.</p> <p>The average asking lease rate for industrial property in the Project Area is \$0.29 per square foot (PSF), at least 28% below the normal range for the balance of the City, which is \$0.40 to \$0.60 PSF.</p> <p>A total of 108 vacant buildings were identified during the field survey, affecting 4% of properties in the Project Area.</p>
<p>Excessive vacant lots in an area developed for urban use and served by utilities</p>	<p>There were 501 vacant lots identified in the Project Area during the field survey, representing 18% of the parcels in the Project Area. Thirty-six percent (36%) or 6% of the vacant lots, have been vacant for 15 years or more.</p>
<p>A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.</p>	<p>While the Project Area has only 2 supermarkets, based upon the estimated aggregate household income, the Project Area could currently support 5 supermarkets, a deficit of 3 supermarkets. There is 1 supermarket for every 36,600 persons within a 2-mile radius of the center of the Project Area vs. 1 for every 16,200 persons in the City overall.</p>
<p>Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.</p>	<p>In the Project Area, 37% of housing units are overcrowded, vs. only 17% for the City as a whole. Of the 16 census block groups that overlay the Project Area, in 9 of the 16, more than 17% of the housing units are overcrowded (the Citywide average). In 4 of the 16, more than 50% of the housing units are overcrowded.</p>
<p>An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.</p>	<p>While the City has an overall rate of 2.26 alcoholic beverage licenses per 1,000, in the Project Area that rate is more than double, at 4.97 per 1,000 persons.</p>
<p>A high crime rate that constitutes a serious threat to the public safety and welfare.</p>	<p>From 1998 through 2006, the Project Area has a violent crime rate that was more than 3.5 times higher than the City as a whole and a property crime rate that was 1.6 times higher. The violent crime rate in particular represents a serious threat to the public safety and welfare.</p>



V. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED AND PARCELS NECESSARY AND ESSENTIAL FOR THE ELIMINATION OF REMAINING BLIGHT AND SUMMARY OF BLIGHTING CONDITIONS

A. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED

As described in Section II of this Report, there have been a number of development and redevelopment projects that have occurred in the Project Area since 1998, many of which have received Agency assistance. Many of these properties are considered “no longer blighted” by the Agency as they have been redeveloped in a manner consistent with the Redevelopment Plans. The properties are listed on Table 28 and illustrated on Figure 21.

Table 28: Properties That Are No Longer Blighted

Letter Key	Name	Address/Location
A	Tehipite Middle School	630 N Augusta
B	Akira Yokomi Elementary Magnet School	2323 E McKenzie
C	Regional Medical Center	2041 Divisadero
D	UCSF Medical Education Facility	155 N Fresno
E	Aardex Building	1950 G St
F	BRE/LQ Properties	2926 Tulare
G	H Anthony & Violet Jew	2840 Tulare
H	Condo Neighborhood	Huntington and Divisadero
I	IRS Building	2650 Tulare
J	City of Fresno Parking Lot	1000 N Street
K	Federal Building	2500 Tulare St
L	West America Bank Building and Parking Structure	2440 Tulare St
M	Federal Building Parking Lot	835 P Street
N	Civic Center Square	906 N St
O	Tower At Convention Center	819 M St
P	Parking Structure	Inyo St and O St
Q	5th District Court of Appeals	2424 Ventura
R	Foundry Park and Vicinity	

B. PARCELS THAT ARE NECESSARY AND ESSENTIAL FOR THE ELIMINATION OF REMAINING BLIGHT

While there are a number of properties that have received some level of rehabilitation, they may not be completely redeveloped. In addition, there are a number of vacant lots and underutilized properties that are candidates for redevelopment. These parcels are listed on Table 29 and shown on Figure 26. These parcels are either: 1) adjacent to one or more blighted parcels that are to be assembled in order to create a parcel of adequate size given present standards and market conditions; or 2) parcels that are adjacent or near parcels that are blighted on which it is necessary to construct a public improvement to eliminate blight.

Table 29: Parcels That Are Necessary and Essential for the Elimination of Blight

Number	Name	Address
1	Fresno Municipal Service Center	2101 G St
2	Fresno City Hall	2600 Fresno St
3	Eaton Plaza	2550 Mariposa St
4	Historic Water Tower & Parking	O St and Fresno St
5	Fresno Police Dept. Admin. Building	M St and Fresno St
6	Fresno Public Library	2451 Tulare St
7	Federal Courthouse	Van Ness Ave and Fresno St
8	Fresno Unified School District	M St and Tulare St
9	Maubridge Building	2344 Tulare St
10	Civic Center Square Parking Lot	Inyo St and O St
11	County of Fresno	2233 Kern St
12	Civic Center Square	906 N St
13	City-owned parcel	802 M St
14	PG&E Building	Ventura and O St
15	ML Street Properties Parking Lot	815 M St
16	Convention Center	700 M St
17	Radisson Hotel	2233 Ventura St
18	Grizzlies Stadium	1800 Tulare St

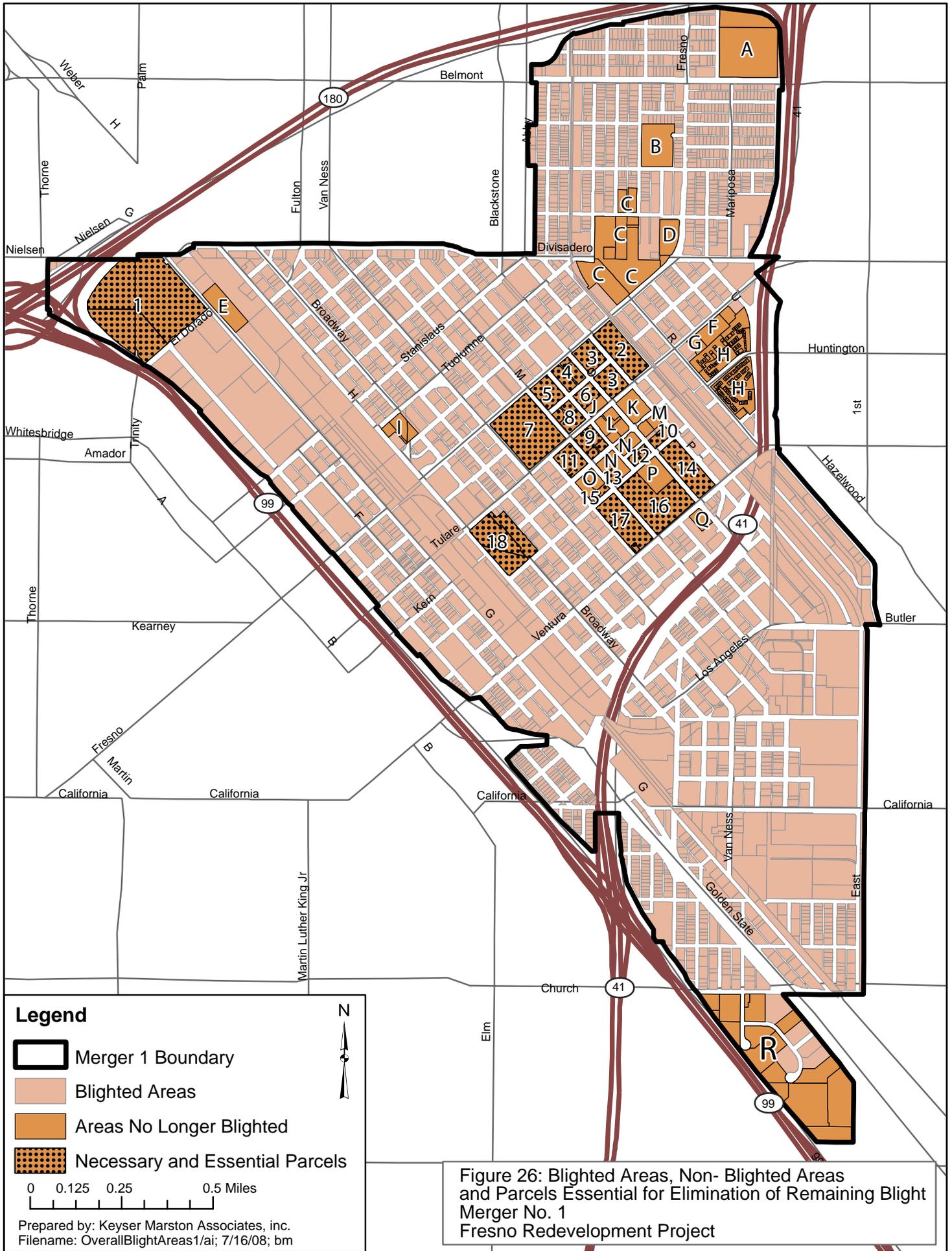


Figure 26: Blighted Areas, Non- Blighted Areas and Parcels Essential for Elimination of Remaining Blight Merger No. 1 Fresno Redevelopment Project

VI. THE AGENCY'S PROJECTS AND PROGRAMS, HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT, AND WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT THE AMENDMENTS

A. AGENCY PROJECTS AND PROGRAMS

The Agency has and will continue to play a key role in the alleviation of blighting conditions in the Project Area. The Agency's role is to encourage new development, aid existing businesses, work with other governmental agencies to alleviate blight, upgrade the physical environment, and remove major impediments to development and blight alleviation that the private sector has not been able to remove on its own. The following program of activities has been and will continue to be implemented on a Project Area-wide basis. Specific projects within these programs will be determined based upon priorities established through Agency planning and budgeting and as funds become available.

1. Public Improvements

The Agency's public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects. Such programs and projects include:

- Street improvements, including repair, construction and re-construction of curbs, gutters, sidewalks, street paving, landscaping and irrigation systems, traffic improvements (such as turning lanes, street widening, and street medians), street and alley abandonment, and construction of street extensions.
- Railroad route and crossing safety improvements.
- Sewer, water, and storm drain system improvements.
- Traffic signal and safety lighting improvements associated with Redevelopment Plan implementation.
- Utility undergrounding, installation and relocation.
- Parking lots and parking structure improvements to support implementation of the Redevelopment Plan and alleviate parking deficiencies in the Project Area.
- Open space, recreation and park improvements.

- Coordination, planning and assistance on public building improvements related to the construction, planning and design, and upgrading of new or existing improvements. Such activities would generally include site work, building construction, parking improvements and landscaping.
- Historic preservation activities in accordance with the historic preservation goals and objectives described in the Central Area Community Plan. These include establishing historic districts, and providing incentives for the restoration and rehabilitation of historic structures.

2. Land Assembly

The intent of the land assembly program is to create sites large enough for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use/residential projects where appropriate. The Agency may acquire properties, including vacant and improved properties, by negotiated purchase, eminent domain (where allowed), or by other methods allowed and as appropriate for land assembly. Land acquisition is not anticipated in circumstances where the property owners are able to participate in the redevelopment process. The Agency will provide relocation assistance in accordance with the law for displaced businesses. The land assembly program may also include site clearance and preparation. Underutilized streets and alleys may also be vacated to assemble sites for redevelopment.

3. Business Revitalization and Attraction

The Agency will provide incentives to encourage businesses to remain in the Project Area, to expand from current facilities, or to encourage new business establishments to locate within the Project Area. Incentives could include development fee reductions, installation of support services, marketing, and financial assistance to for start-up businesses. The program also includes the Agency's façade improvement and commercial rehabilitation loan program, which encourages property owners, and businesses to renovate existing buildings, rehabilitate exterior building facades, correct building and safety deficiencies and code violations, or construct interior tenant improvements.

4. Discretionary Programs

When funding is available, the Agency will assist other efforts that will contribute to the alleviation of blighting conditions in the Project Area such as owner participation, business expansion assistance, revitalization, business attraction, and marketing to the extent permitted by law.

5. Housing Programs

The Agency has two primary housing programs to serve the goals and policies of the Redevelopment Plan. These programs are: 1) the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno, which focuses on minor and major rehabilitation of owner occupied housing, the construction of new infill ownership housing, and the acquisition and major rehabilitation of boarded up and distressed single-family homes; and 2) the assemblage or real property assets for the development of housing, and the provision of gap financing for the new construction of housing and the rehabilitation of existing multiple-family housing.

B. HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

1. Public Improvements

The primary focus of the Agency's efforts to support the rehabilitation of existing and installation of new public improvements will be to help offset the cost or to install such improvements where the costs exceed cost levels that would normally be borne by the private sector. The construction of such public improvements will support investments in the private sector in the reuse of vacant, deteriorated, obsolete and unsafe buildings, the effective utilization of vacant lots, and the rehabilitation of existing and construction of new housing to alleviate overcrowding in the Project Area. Such investments, in turn, will support and increase property values and create jobs, which will in turn, reduce crime and encourage the development of supermarkets and other essential commercial services for the community.

2. Land Assembly

The land assembly program will enable the Agency to acquire and consolidate parcels, especially vacant and underutilized buildings and lots for development. Rehabilitation of existing buildings and the development of new commercial and residential uses will help reduce the number of unsafe and unhealthy buildings, the number of obsolete and

substandard buildings, and the number of vacant lots. Such rehabilitation and new development will increase property values, support higher lease rates, and reduce the number of vacant and abandoned buildings in the Project Area. It will also provide locations for new commercial businesses to provide goods and services to the community and create opportunities for the rehabilitation of existing and development of new housing at all income levels, including housing affordable to persons and families of low and moderate incomes.

3. Business Revitalization and Attraction

Supporting the expansion of existing businesses and the attraction of new businesses will encourage the revitalization of existing buildings, and development of new facilities to create jobs, increase property values, and remove or rehabilitate unsafe buildings (such as unreinforced masonry, obsolete and abandoned buildings) and develop new buildings on vacant lots. Such development will increase property values and lease rates, and encourage the development of necessary commercial facilities to serve residents and businesses.

4. Discretionary Programs

From time to time, as opportunities arise for the Agency to participate in discretionary programs that will support the goals of the Redevelopment Plan, the Agency will be able to target programs and funds for alleviating blight through supporting existing businesses and recruiting new businesses in the Project Area. Discretionary programs will also allow the Agency to assist in the development of new facilities and the revitalization of existing properties. These efforts will support the creation of jobs and diversification of the local economy to reduce crime and support the installation of public improvements and the reuse of existing buildings properties.

5. Housing Programs

The housing programs allow the Agency, in collaboration with the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno to provide funds for the acquisition of blighted properties in addition to the rehabilitation and preservation of existing housing units, and the production of new low- and moderate-income housing. The Agency works cooperatively with property owners and developers to provide opportunities to remove blight and increase the number of affordable housing units in the Project Area.

Table 30: Blighting Conditions and the Projects and Programs to Alleviate Blight

Blighting Condition	Agency Programs				
	Public Improvements	Land Assembly	Business Revitalization and Attraction	Discretionary Programs	Housing Programs
Buildings in which it is unsafe or unhealthy for persons to live or work.		X	X	X	X
Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. Construction given the present general plan, zoning, or other development standards.	X	X	X	X	X
Depreciated or stagnant property values.	X	X	X	X	X
Abnormally low lease rates and an abnormally high number of abandoned buildings.	X	X	X	X	
A serious lack of necessary commercial facilities that are normally found in neighborhoods.	X	X	X	X	
Serious residential overcrowding that has resulted in significant public health and safety concerns.		X		X	X
An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.			X	X	
A high crime rate that constitutes a serious threat to the public safety and welfare.	X		X	X	

C. WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT EXTENDING THE TIME LIMITS ON THE EFFECTIVENESS OF THE PLAN AND RECEIPT OF TAX INCREMENT REVENUES

As described in Section IV of this Report, significant blight remains in the Project Area. There are a significant number of deteriorated and dilapidated buildings, vacant lots and vacant buildings. Many of the lots have been vacant for at least 15 years. The City and the Agency,

and the private sector acting with and without Agency assistance, have been able to redevelop many blighted properties in the Project Area. However, as described in Section III, the Agency has played a role in many of the projects. Of the building permits issued over the past 12+ years, the Agency has been involved in 72 percent of the permitted activity (based upon total permit value). The Agency assembled and cleared sites, and/or provided financial incentives for many of the signature projects, including the development of Chukchansi Park, the Regional Medical Center expansion, the Convention Center Exhibit Hall, the new Federal Courthouse, the new Fifth District Court of Appeals, the IRS Compliance Center, the Cesar Chavez Adult Education Complex, and the Guarantee Building rehabilitation and new garage construction. Without Agency assistance, many of these and other projects would not have been feasible. Assembling and clearing sites for development is time consuming and costly for the private sector, and there is even less incentive for the private sector to take on such endeavors in areas that are perceived to be blighted. The Agency, through the use of redevelopment tools, is able to shoulder the time and cost burden of site assemblage, and provide other assistance such as infrastructure development and financial assistance to encourage property owners to reinvest and attract new development. Without such Agency assistance, it is unlikely that the City or the private sector acting alone will be able to complete the redevelopment of the Project Area.

The Agency anticipates that tax increment revenues will decline significantly when the current time limits for key areas are reached. The time limits for the Central Business District, the Chinatown Original, Mariposa, West Fresno I and West Fresno II areas will be reached in 2012. These areas currently account for roughly 56 percent of the tax increment revenues to the Agency³⁷ for projects and programs, meaning that after 2012, the Agency's tax increment will be less than half of its current tax increment. At the same time, there are a significant number of deteriorated and dilapidated and unsafe properties, numerous vacant lots, and vacant buildings in need of redevelopment. Without extending the time limits on the Constituent Plans and increasing tax increment limits, the time limits to receive tax increment and repay indebtedness, and the time limits to utilize eminent domain, the Agency will not be able to alleviate blighting conditions in the Project Area.

³⁷ Gross tax increment revenues based upon fiscal year 2007-08 revenue.

VIII. PRELIMINARY ASSESSMENT OF THE PROPOSED METHOD OF FINANCING THE REDEVELOPMENT PLAN AS AMENDED, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

Section 33344.5(d) of the CRL provides that the Preliminary Report for the adoption of the Amendments contain a preliminary assessment of the proposed method of financing the Project Area, including an assessment of economic feasibility of the Amendments and the reasons for including a provision for the division of taxes pursuant to Section 33670.

This analysis is intended to provide an assessment of the economic feasibility of the Project Area, as amended, and reasons for including tax increment financing and other financing sources in the amended redevelopment plans. Economic feasibility, for purposes of this analysis, is defined to be a comparative analysis of anticipated costs for implementation of the amended redevelopment plans to the resulting revenues projected for the Project Area.

This section contains a general discussion of the costs associated with the proposed redevelopment program of activities and an evaluation of the general financing methods that may be available to the Agency. Economic feasibility is determined through a summarized feasibility cash flow analysis for the Project Area as shown on Table 36 at the end of this section.

A. TIME LIMITATIONS

Pursuant to Section 33333.10 of the California Health and Safety Code, the effectiveness dates of qualifying redevelopment plans³⁸ may be extended for up to 10 additional years and the date for the collection of tax increment to repay indebtedness may be extended for up to an additional 10 years. The following redevelopment plans³⁹ would be amended to extend the plan effectiveness date and the tax increment receipt dates by an additional 10 years, as authorized under SB 211.⁴⁰

³⁸ The Fulton and South Van Ness Redevelopment Plans do not qualify for the additional 10-year extensions under H&S Code Section 33333.10.

³⁹ The Chinatown Project Area ("Chinatown Original") was adopted in 1965. In 1986, it was enlarged by the addition of territory and is now generally referred to as "Chinatown Expanded." However, since the original territory and the added territory have different time and financial limits, they are treated separately for purposes of this analysis.

⁴⁰ The assumed extended time limitations include time extensions allowed by SB 1045 and SB 1096 for the redevelopment project areas that qualify for such extensions because of required payments into the State Educational Revenue Augmentation Fund (ERAF).

Table 31: Summary of New Plan Effectiveness and Tax Increment Receipt Limits

	New Plan Effectiveness	New T.I. Receipt Limit
Central Business District	01-01-2022	01-01-2032
Chinatown Original	01-01-2022	01-01-2032
Chinatown Expanded	01/28/2038	01/28/2048
Convention Center	01-12-2035	01-12-2045
Jefferson	12-18-2037	12-18-2047
Mariposa	01-14-2022	01-14-2032
West Fresno I	01-01-2022	01-01-2032
West Fresno II	01-01-2022	01-01-2032
West Fresno III	01-14-2019	01-14-2029

B. ESTIMATED TOTAL PROJECT COSTS

A determination of economic feasibility requires an identification of the potential costs associated with redevelopment of the Project Area. Redevelopment could require significant participation from the Agency in activities to promote and achieve the goals and objectives of the respective redevelopment plans and to address blighting conditions. Based upon the program descriptions in Section VI of this Report, for purposes of this economic feasibility analysis the assumed activities and programs of the Project Area, as amended, are as follows:

1. Public improvements
2. Land assembly
3. Business revitalization and attraction
4. Affordable housing

The Agency also anticipates other costs associated with meeting the financial obligations for implementing an effective redevelopment program. These include continued funding for Agency staff and services, operating expenses, and repayment of potential future indebtedness of the Project Area.

The redevelopment program described in this Report outlines a set of activities that have already been implemented by the Agency for the purpose of facilitating private reinvestment in the Project Area, eliminating physical and economic blighting influences; and increasing, improving and preserving the community's supply of low and moderate income housing. Upon termination of the effectiveness dates of the respective redevelopment plans, the Agency will continue to receive tax increment to repay Project Area indebtedness until the respective tax receipt dates terminate. The estimated cost of the assumed redevelopment programs over the term of the projection is as follows:

Table 32: Estimated Redevelopment Program Costs

Affordable Housing	\$138,132,000
Debt Service (existing)	18,804,000
Administration	22,323,000
Redevelopment Projects & Programs:	
Public Improvements	\$85,339,000
Land Assembly	66,375,000
Business Revitalization & Attraction	<u>37,928,000</u>
Subtotal Projects & Programs	\$189,642,000
Total Project Costs	<u>\$368,937,000</u>

As tax increment revenue sources become available to the Project Area in future fiscal years, the feasibility cash flow assumes that the Agency will exercise its discretion in the annual budgetary allocation of the available resources (net of housing set aside requirements, existing senior lien bond debt service obligations and Agency administration) to fund projects and programs that will eliminate blighting conditions in the Project Area. The discretionary projects and programs assumed in this scenario include public improvements, land assembly, and business revitalization and attraction activities. Affordable housing programs will be funded from housing set aside funds as described below.

The feasibility cash flow scenario assumed on Table 36 does not restrict the Agency to only the projects and programs shown nor, by including the same, do these cash flow projections obligate the Agency to a specific funding priority or time sequence as shown. The inclusion of such projects and programs is intended to recognize that the Agency, at its discretion, will allocate future Project Area resources as they are prioritized and determined by the Agency Board each year. To the extent the Agency elects to not fully apportion the annual net resources in a given year, the resulting funds would carry over to become available resources in the subsequent year.

1. Affordable Housing

The Agency is annually required to deposit 20 percent of gross tax increment revenues generated by the Project Area into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. Under CRL Section 33333.10(g), for the redevelopment plans being amended under this plan amendment, the Agency will be required to set aside 30 percent of gross tax increment revenues commencing with the first fiscal year that commences after the date of adoption. Specific

housing-related projects, programs and activities are not delineated in this feasibility cash flow, but it is assumed that as housing set aside funds become available they are used by the Agency to fund such expenditures.

2. Debt Service on Bonds and Loans

The Agency will consider all funding alternatives allowable under the CRL to finance the anticipated redevelopment projects and programs. One typical financing option is the issuance of tax allocation bonds. The Agency may utilize tax increment revenues generated in the Project Area to secure the debt service of tax allocation bonds to assist in the financing of anticipated project costs.

The feasibility cash flow only reflects existing debt service payments on current bonds and loans outstanding. These include tax allocation bonds secured by tax increment from the Mariposa Project Area, City General Fund loans repaid from tax increment in the Central Business District and Fulton Project Areas, Stadium Bond debt service contributions from the Central Business District Project Area, and a Certificate of Participation debt service contribution from the Convention Center Project Area. For purposes of this feasibility cash flow, no additional bond financing is assumed and all future projects and programs of the Project Area will be funded on an annual pay-as-you-go basis, relying upon net tax increment revenues annually available to the Project Area.

3. Administration

The projected operating costs for administration of the redevelopment program are assumed to be equivalent to 4.4 percent of gross tax increment revenue each year. The assumed factor is based upon the FY 2007-08 administrative budget request relative to budgeted gross tax increment.

4. Public Improvements

The public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects anticipated upon amendment of the Project Area. The public improvement program also includes the provision of additional parking facilities, the development of open space, recreation and park improvements, and various historic preservation activities. This scenario of economic feasibility assumes that 45 percent of annual net tax increment revenues will

be budgeted towards the funding of public improvements. The proposed public improvement activities are more fully described in Section VI of this Report.

5. Land Assembly

The purpose of this program is to assemble small underutilized and/or poorly configured parcels of property into sites suitable for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use residential projects. The costs typically would include land assembly, relocation assistance, site clearance, and/or site preparation. This scenario of economic feasibility assumes that 35 percent of annual net tax increment revenues will be budgeted towards the funding of land assembly costs. The proposed land assembly activities are more fully described in Section VI of this Report.

6. Business Revitalization and Attraction

The purpose of this program is to allow the Agency to provide incentives to encourage existing businesses to remain in the Project Area, to expand from current facilities, and encourage new businesses to locate in the Project Area. The program would also include funding for façade improvements and commercial rehabilitation loans. This scenario of economic feasibility assumes that 20 percent of annual net tax increment revenues will be budgeted towards the funding of business revitalization and attraction costs. The proposed business revitalization and attraction program activities are more fully described in Section VI of this Report.

C. FINANCING METHODS AVAILABLE TO THE AGENCY

The Plan is prepared with the intent of providing the Agency with the necessary legal authority and flexibility to continue to implement the revitalization of the Project Area. The Plan authorizes the Agency to finance the Project Area with financial assistance from any or all of the following sources: (1) City; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the existing CRL; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Assumed revenue sources to fund project costs, as discussed and assumed in this feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) existing

miscellaneous revenues; and (3) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized as follows:

Table 33: Financing Resources Available for Redevelopment in the Project Area

Net Tax Increment	\$210,965,000
Housing Set Aside	138,132,000
Other Revenue Sources	19,290,000
Interest Earnings	552,000
Total Aggregate Resources	\$368,939,000

Current provisions of the CRL provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a Redevelopment Plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs. Although other funding sources such as these may be available to the Agency, the feasibility cash flow on Table 36 only reflects the following funding sources:

1. Tax Increment Revenues

A summary of the projection of the incremental taxable values and resulting tax increment revenues for the Project Area is shown on Table 37. The gross total tax increment revenues for the Project Area over the term during which the Agency could receive tax increment from the respective project areas is projected to amount to \$508,336,000, of which \$137,109,000 would be required for deposit into the Housing Fund; \$10,167,000 would be charged by the County to recover administrative overhead (per SB 2557); and \$150,560,000 would be allocated to affected taxing entities under existing tax sharing agreements, elective allocations authorized under H&S Code Section 33676 or statutory pass through payments triggered under Sections 33607.5 and 33607.7. The net non-housing tax increment revenues available to the Agency over the term of the projection total \$210,500,000.

Without the Redevelopment Plan Amendment, the tax increment revenues of the Project Area would significantly decline once the respective Redevelopment Plan time limitations are reached. The most significant of these declining revenues would be realized after FY 2018-19, when tax increment revenues would no longer be allocated from the Central Business District, Chinatown Expanded, Mariposa, West Fresno I, West Fresno II, and West Fresno III Project Areas. The cumulative tax increment revenue cap imposed on some of the Constituent Project Areas would also affect the Agency's ability

to receive the full benefit of tax increment revenue over the remaining term of the projection. Once the cumulative tax increment limits would have been reached, the Agency would forfeit excess tax increment revenues.

The following assumptions were incorporated in the Project Area tax increment revenue projections shown on Table 35 to Table 48:

- a) Current FY 2007-08 assessed values, as reported by the Fresno County Auditor-Controller, provide the basis from which future year tax increment is determined.
- b) Future real property (land and improvement) values annually increase as a result of an annual 4% inflation factor (reflecting assumed Proposition 13 growth and an increase for miscellaneous transfer of ownership or new construction activities). Specific new developments were not identified for inclusion in the projections.
- c) A tax rate of 1.0824% has been used for the computation of gross tax increment revenue, based upon tax override information provided by the County Auditor-Controller. In addition, a County administrative charge allowed under SB 2557 (equal to 2% of gross tax increment) has been debited each year.
- d) An existing tax sharing agreement with the County Library District is in effect for certain Constituent Project Areas, as reflected in the attached projections. The redevelopment project areas in which the allocation is made includes the following: Central Business District, Chinatown Original, Chinatown Expanded, Jefferson, Mariposa, and West Fresno I.
- e) Based upon information provided by the County Auditor-Controller, the County debits a portion of tax increment revenues from the Chinatown Expanded and the Jefferson Redevelopment areas to affected taxing entities electing to receive a share of revenue under prior authorization set forth by CRL Section 33676 (the so-called "two percent inflation allocation", which was subsequently removed from the Redevelopment Law with the passage of AB 1290). Therefore, for purposes of this projection, KMA has embedded the County's 2 percent inflation allocation formula in the revenue projections for these two Constituent Project Areas.
- f) Statutory pass through allocations pursuant to CRL Section 33607.5 are shown for selected Project Areas. The constituent Project Areas for which the statutory pass through allocation has been calculated, includes the following: Central Business District, Chinatown Original, Chinatown Expanded, Convention Center,

Jefferson, Mariposa, West Fresno I, West Fresno II and West Fresno III. The Fulton and South Van Ness Industrial areas were adopted after January 1, 1994, and are also subject to the statutory pass through provisions.

- g) For FY 2008-09, the housing set aside of 20 percent of annual tax increment is reflected pursuant to the provisions of H&S Code Section 33334.2. Commencing in FY 2009-10 and upon approval of the Amendments, the Agency would be required to set aside 30 percent of annual tax increment for the Constituent Project Areas being amended.

2. Housing Set Aside

As stated previously, the Agency is annually required to deposit a portion of the gross tax increment revenues into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. The housing set aside is available at the Agency's discretion for allocation to various housing-related projects, programs and activities not incorporated in the Table 36 feasibility cash flow projection.

3. Other Revenue

The Agency has budgeted receipt of other revenues to help fund ongoing redevelopment programs. The other identified revenues include lease income, rental income and City ground lease payments.

4. Interest Income

The Agency may receive interest earnings generated from funds on deposit in the bond reserve funds, project operating funds and other special funds established for the Project Area. Interest earnings are based upon an assumed 3 percent rate.

D. PROPOSED FINANCING METHOD, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

The anticipated costs to implement a program of revitalization in the Project Area will require significant participation from the Agency as it implements activities that promote and achieve the stated goals and objectives of the redevelopment plan. Economic feasibility of the redevelopment plans has been determined based upon a comparative cash flow analysis of the anticipated costs for implementation of the proposed redevelopment program to the resulting projected resources projected over the term of the Project Area feasibility cash flow.

The economic feasibility summarized on Table 36 was created to represent one scenario of economic feasibility. At the discretion of the Agency, other funding sources discussed above may also represent viable funding alternatives for economic feasibility of the amended Redevelopment Plans. Although the Agency may consider other funding sources permitted in the Redevelopment Plans, not all of the funding sources may be available or be feasible for the Agency to use in financing the anticipated costs and revenue shortfalls. In the event that neither the City nor the private market acting alone could fully bear the costs associated with revitalization of the Project Area, the implementation of a redevelopment program utilizing tax increment revenues must be considered as a viable financing tool.

The cash flow projection reflects assumptions based on KMA's understanding of the assessment and tax apportionment procedures employed by the County. The County procedures are subject to change as a reflection of policy revisions or administrative, regulatory or legislative mandate. While we believe our estimates to be reasonable, taxable values resulting from actual appraisals may vary from the amounts assumed in the projections. Assumptions have also been made that legislatively-mandated payments to the State will not be required in future fiscal years. These assumptions are based on existing State policies and are subject to future regulatory or legislative changes.

No assurances are provided by KMA as to the certainty of the projected tax increment revenues shown in this Section. Actual revenues may be higher or lower than what has been projected and are subject to valuation changes resulting from new developments or transfers of ownership not specifically identified herein, actual resolution of outstanding appeals, future filing of appeals, changes in assessor valuation standards, or the non-payment of taxes due. The accuracy or completeness of assessment appeals identified in the attached table are based solely upon information provided by the County Assessor's office as of the date of the original review of said data by KMA. A reasonable attempt has been made to forecast the redevelopment projects, programs and activities that could be undertaken in the Project Area. However, actual funding will be based upon actual revenues available to the Agency in future fiscal years. Therefore, the expenditure program reflected on Table 36 is presented as an "order of magnitude" estimate based upon the forecasted tax increment revenues.

E. TAX INCREMENT REVENUE LIMITS

Over the past ten years, reported assessed values in the Project Area have increased an average of 9 percent. Assuming that values increase annually by this 9 percent growth factor and also assuming the Agency amends the qualifying Constituent Project Areas to add ten additional years to the existing time limits, KMA prepared a series of growth iterations to determine an appropriate factor to multiply against the current revenue limits for each Constituent Project Area so as to ensure that a new revenue limit was sufficiently large enough

to permit the Agency to receive projected tax increment revenues to the full term allowed under law. The iterations prepared by KMA resulted in the following new revenue caps:

Table 34: Existing and Proposed Tax Increment Limits

	Old T.I. Limit	Allocated as of June 30, 2007	Proposed New T.I. Limit
Central Business District	\$16,000,000	\$7,660,873	\$128,000,000
Chinatown Original	32,000,000	3,842,959	128,000,000
Convention Center	51,000,000	9,330,375	357,000,000
Jefferson	235,000,000	5,027,336	470,000,000
Mariposa	50,000,000	18,815,532	150,000,000
West Fresno I	9,000,000	4,010,362	27,000,000
West Fresno II	60,000,000	22,870,728	120,000,000

F. BONDED INDEBTEDNESS LIMITS

The bonded indebtedness limits are not being amended. Therefore, the total bonds supported in whole or in part by tax increment revenues and which may be outstanding at one time may not exceed the following existing limits for these Constituent Project Areas:

Table 35: Existing Bond Debt Limits

Chinatown Expanded	\$16,000,000
Convention Center	21,000,000
Fulton	32,000,000
Jefferson	99,000,000
South Van Ness Industrial	111,000,000

Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
I. Revenue:														
Gross Tax Increment Revenue	6,758	7,153	7,563	7,988	8,431	8,890	9,367	9,863	10,378	10,913	11,469	12,046	12,647	13,270
Less Housing Set Aside	(1,352)	(2,040)	(2,151)	(2,267)	(2,387)	(2,512)	(2,642)	(2,776)	(2,916)	(3,062)	(3,213)	(3,370)	(3,533)	(3,702)
Less Tax Sharing & Co Admin Charges	(1,050)	(1,183)	(1,322)	(1,474)	(1,635)	(1,800)	(1,983)	(2,164)	(2,373)	(2,592)	(2,816)	(3,050)	(3,294)	(3,547)
Other Revenue	536	536	536	536	536	536	536	536	536	536	536	536	536	536
Bond Reserve Earnings at 3%	34	34	34	34	34	27	27	27	27	27	27	27	27	27
Total Revenue	4,927	4,500	4,659	4,817	4,978	5,140	5,305	5,485	5,651	5,822	6,002	6,189	6,383	6,583
II. Expenditures:														
Existing Debt Service	1,158	1,157	1,161	1,158	1,161	912	912	916	914	915	916	920	917	924
Administration (4.4% of T.I.)	295	312	330	348	368	388	409	430	453	476	500	525	552	579
Total Expenditures	1,453	1,469	1,491	1,506	1,529	1,300	1,321	1,346	1,367	1,391	1,416	1,445	1,469	1,503
III. Available for Future Redevelopment Programs	3,474	3,030	3,168	3,310	3,449	3,840	3,984	4,138	4,284	4,430	4,585	4,743	4,914	5,080
IV. Future Redevelopment Program Allocations:														
Public Improvements at 45%	1,563	1,364	1,426	1,490	1,552	1,728	1,793	1,862	1,928	1,994	2,063	2,134	2,211	2,286
Land Assembly at 35%	1,216	1,061	1,109	1,159	1,207	1,344	1,394	1,448	1,499	1,551	1,605	1,660	1,720	1,778
Business Revitalization and Attraction at 20.0%	695	606	634	662	690	768	797	828	857	886	917	949	983	1,016
Total Future Redevelopment Allocations	3,474	3,030	3,168	3,310	3,449	3,840	3,984	4,138	4,284	4,430	4,585	4,743	4,914	5,080

Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37
I. Revenue:															
Gross Tax Increment Revenue	13,918	14,591	15,290	16,017	16,771	17,556	18,371	19,218	20,098	16,041	11,607	12,165	12,746	13,350	13,977
Less Housing Set Aside	(3,878)	(4,061)	(4,251)	(4,449)	(4,654)	(4,867)	(5,089)	(5,319)	(5,558)	(4,315)	(2,958)	(3,098)	(3,244)	(3,395)	(3,552)
Less Tax Sharing & Co Admin Charges	(3,805)	(4,076)	(4,361)	(4,655)	(4,962)	(5,276)	(5,601)	(5,996)	(6,406)	(4,813)	(4,135)	(4,395)	(4,679)	(4,991)	(5,317)
Other Revenue	536	536	536	536	536	536	536	536	536	536	536	536	536	536	536
Bond Reserve Earnings at 3%	27	14	14	14	14	14	14	14	14	0	0	0	0	0	0
Total Revenue	6,796	7,003	7,227	7,462	7,705	7,963	8,230	8,452	8,684	7,448	5,048	5,207	5,359	5,499	5,643
II. Expenditures:															
Existing Debt Service	923	480	480	480	480	480	480	480	480	0	0	0	0	0	0
Administration (4.4% of T.I.)	607	636	667	699	732	766	801	838	877	700	506	531	556	582	610
Total Expenditures	1,530	1,116	1,147	1,179	1,212	1,246	1,281	1,318	1,357	700	506	531	556	582	610
III. Available for Future Redevelopment Programs	5,265	5,886	6,080	6,283	6,493	6,717	6,948	7,133	7,327	6,748	4,541	4,676	4,802	4,916	5,033
IV. Future Redevelopment Program Allocations:															
Public Improvements at 45%	2,369	2,649	2,736	2,827	2,922	3,023	3,127	3,210	3,297	3,037	2,043	2,104	2,161	2,212	2,265
Land Assembly at 35%	1,843	2,060	2,128	2,199	2,273	2,351	2,432	2,497	2,564	2,362	1,589	1,637	1,681	1,721	1,762
Business Revitalization and Attraction at 20.0%	1,053	1,177	1,216	1,257	1,299	1,343	1,390	1,427	1,465	1,350	908	935	960	983	1,007
Total Future Redevelopment Allocations	5,265	5,886	6,080	6,283	6,493	6,717	6,948	7,133	7,327	6,748	4,541	4,676	4,802	4,916	5,033

Source: Redevelopment Agency FY 2007-08 Budget
 Prepared by Keyser Marston Associates, Inc.
 Filename: Merger1_TI_2008-05-16 (2).xls: 08-09 Cash: 7/21/2008: GSH: Page 2 of 3

Table 36
Feasibility Cash Flow - Project Fund
Merger 1 - Combined Projects
Fresno Redevelopment Agency
(\$000's Omitted)

	30	31	32	33	34	35	36	37	38	39	40	41	Totals Memo Only
	2037-38	2038-39	2039-40	2040-41	2041-42	2042-43	2043-44	2044-45	2045-46	2046-47	2047-48	2048-49	
I. Revenue:													
Gross Tax Increment Revenue	14,629	15,306	16,010	16,741	17,502	18,292	19,113	8,212	6,087	6,349	4,163	890	511,747
Less Housing Set Aside	(3,715)	(3,885)	(4,061)	(4,244)	(4,435)	(4,633)	(4,838)	(2,464)	(1,826)	(1,905)	(1,249)	(267)	(138,132)
Less Tax Sharing & Co Admin Charges	(5,654)	(6,010)	(6,374)	(6,754)	(7,150)	(7,559)	(7,983)	(3,255)	(2,773)	(2,919)	(1,903)	(564)	(162,650)
Other Revenue	536	536	536	536	536	536	536	0	0	0	0	0	19,290
Bond Reserve Earnings at 3%	0	0	0	0	0	0	0	0	0	0	0	0	552
Total Revenue	5,794	5,946	6,110	6,279	6,453	6,636	6,827	2,493	1,488	1,525	1,011	59	230,807
II. Expenditures:													
Existing Debt Service	0	0	0	0	0	0	0	0	0	0	0	0	18,804
Administration (4.4% of T.I.)	638	668	698	730	763	798	834	358	266	277	182	39	22,323
Total Expenditures	638	668	698	730	763	798	834	358	266	277	182	39	41,127
III. Available for Future Redevelopment Programs	5,155	5,278	5,411	5,548	5,689	5,838	5,993	2,134	1,222	1,248	829	20	
IV. Future Redevelopment Program Allocations:													
Public Improvements at 45%	2,320	2,375	2,435	2,497	2,560	2,627	2,697	960	550	562	373	9	85,339
Land Assembly at 35%	1,804	1,847	1,894	1,942	1,991	2,043	2,098	747	428	437	290	7	66,375
Business Revitalization and Attraction at 20.0%	1,031	1,056	1,082	1,110	1,138	1,168	1,199	427	244	250	166	4	37,928
Total Future Redevelopment Allocations	5,155	5,278	5,411	5,548	5,689	5,838	5,993	2,134	1,222	1,248	829	20	189,642

Table 37

Preliminary Report

**Tax Increment Revenue Projection
Merger 1 - Combined Project Areas
Fresno Redevelopment Agency
(\$000's Omitted)**

Fiscal Year	1 Total Increment Revenue	2 Less County Admin Fee	3 Less Housing Set Aside	4 Less Existing Pass Thru	5 2% Inflation Allocation	6 Less Triggered Statutory Sharing	7 Net Tax Revenue
2008-09	6,758	(135)	(1,352)	(35)	(148)	(731)	4,357
2009-10	7,153	(143)	(2,040)	(37)	(156)	(846)	3,930
2010-11	7,563	(151)	(2,151)	(39)	(164)	(967)	4,090
2011-12	7,988	(160)	(2,267)	(41)	(173)	(1,101)	4,247
2012-13	8,431	(169)	(2,387)	(44)	(181)	(1,242)	4,409
2013-14	8,890	(178)	(2,512)	(46)	(190)	(1,387)	4,578
2014-15	9,367	(187)	(2,642)	(48)	(198)	(1,549)	4,742
2015-16	9,863	(197)	(2,776)	(31)	(207)	(1,728)	4,923
2016-17	10,378	(208)	(2,916)	(33)	(217)	(1,916)	5,089
2017-18	10,913	(218)	(3,062)	(35)	(226)	(2,113)	5,259
2018-19	11,469	(229)	(3,213)	(36)	(235)	(2,315)	5,440
2019-20	12,046	(241)	(3,370)	(38)	(245)	(2,526)	5,626
2020-21	12,647	(253)	(3,533)	(40)	(255)	(2,746)	5,820
2021-22	13,270	(265)	(3,702)	(42)	(265)	(2,974)	6,021
2022-23	13,918	(278)	(3,878)	(44)	(275)	(3,208)	6,234
2023-24	14,591	(292)	(4,061)	(46)	(286)	(3,452)	6,453
2024-25	15,290	(306)	(4,251)	(48)	(297)	(3,710)	6,678
2025-26	16,017	(320)	(4,449)	(51)	(308)	(3,976)	6,913
2026-27	16,771	(335)	(4,654)	(53)	(319)	(4,255)	7,156
2027-28	17,556	(351)	(4,867)	(56)	(330)	(4,539)	7,413
2028-29	18,371	(367)	(5,089)	(58)	(342)	(4,834)	7,681
2029-30	19,218	(384)	(5,319)	(61)	(354)	(5,198)	7,903
2030-31	20,098	(402)	(5,558)	(64)	(366)	(5,574)	8,134
2031-32	16,041	(321)	(4,315)	(42)	(378)	(4,073)	6,912
2032-33	11,607	(232)	(2,958)	(18)	(390)	(3,495)	4,513
2033-34	12,165	(243)	(3,098)	(18)	(403)	(3,730)	4,672
2034-35	12,746	(255)	(3,244)	(19)	(416)	(3,989)	4,823
2035-36	13,350	(267)	(3,395)	(20)	(430)	(4,274)	4,964
2036-37	13,977	(280)	(3,552)	(21)	(443)	(4,574)	5,108
2037-38	14,629	(293)	(3,715)	(22)	(457)	(4,883)	5,259
2038-39	15,306	(306)	(3,885)	(23)	(471)	(5,210)	5,411
2039-40	16,010	(320)	(4,061)	(24)	(486)	(5,544)	5,575
2040-41	16,741	(335)	(4,244)	(25)	(500)	(5,893)	5,744
2041-42	17,502	(350)	(4,435)	(27)	(515)	(6,258)	5,917
2042-43	18,292	(366)	(4,633)	(28)	(531)	(6,635)	6,100
2043-44	19,113	(382)	(4,838)	(29)	(546)	(7,026)	6,292
2044-45	8,212	(164)	(2,464)	(30)	(562)	(2,498)	2,493
2045-46	6,087	(122)	(1,826)	(32)	(578)	(2,041)	1,488
2046-47	6,349	(127)	(1,905)	(33)	(595)	(2,164)	1,525
2047-48	4,163	(83)	(1,249)	(35)	(612)	(1,173)	1,012
2048-49	890	(18)	(267)	(18)	(307)	(221)	59
TOTAL	511,747	(10,235)	(138,132)	(1,491)	(14,358)	(136,566)	210,965

Table 38

**Tax Increment Revenue Projection
Merger 1 - Central Business Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$40,802	Gross Increment Revenue	Increased Limit x 8 \$128,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.376%	(5) Triggered Statutory Sharing	Net Tax Revenue
48	2008-09	123,682	23,099	146,781	105,980	1,147	0	1,147	(23)	(229)	(16)	(227)	652
49	2009-10	128,630	23,561	152,190	111,389	1,206	0	1,206	(24)	(362)	(17)	(239)	564
50	2010-11	133,775	24,032	157,807	117,005	1,266	0	1,266	(25)	(380)	(17)	(251)	593
51	2011-12	139,126	24,513	163,638	122,837	1,330	0	1,330	(27)	(399)	(18)	(274)	612
52	2012-13	144,691	25,003	169,694	128,892	1,395	0	1,395	(28)	(419)	(19)	(298)	631
53	2013-14	150,478	25,503	175,981	135,180	1,463	0	1,463	(29)	(439)	(20)	(323)	652
54	2014-15	156,497	26,013	182,511	141,709	1,534	0	1,534	(31)	(460)	(21)	(348)	674
55	2015-16	162,757	26,533	189,291	148,489	1,607	0	1,607	(32)	(482)	(22)	(375)	696
56	2016-17	169,268	27,064	196,332	155,530	1,683	0	1,683	(34)	(505)	(23)	(403)	719
57	2017-18	176,038	27,605	203,644	162,842	1,763	0	1,763	(35)	(529)	(24)	(431)	743
58	2018-19	183,080	28,157	211,237	170,436	1,845	0	1,845	(37)	(553)	(25)	(461)	768
59	2019-20	190,403	28,721	219,124	178,322	1,930	0	1,930	(39)	(579)	(27)	(493)	793
60	2020-21	198,019	29,295	227,314	186,513	2,019	0	2,019	(40)	(606)	(28)	(524)	821
61	2021-22	205,940	29,881	235,821	195,019	2,111	0	2,111	(42)	(633)	(29)	(558)	848
1	2022-23	214,178	30,479	244,656	203,855	2,207	0	2,207	(44)	(662)	(30)	(592)	878
2	2023-24	222,745	31,088	253,833	213,031	2,306	0	2,306	(46)	(692)	(32)	(629)	907
3	2024-25	231,655	31,710	263,364	222,563	2,409	0	2,409	(48)	(723)	(33)	(665)	940
4	2025-26	240,921	32,344	273,265	232,463	2,516	0	2,516	(50)	(755)	(35)	(705)	971
5	2026-27	250,558	32,991	283,548	242,747	2,627	0	2,627	(53)	(788)	(36)	(745)	1,006
6	2027-28	260,580	33,651	294,231	253,429	2,743	0	2,743	(55)	(823)	(38)	(788)	1,040
7	2028-29	271,003	34,324	305,327	264,525	2,863	0	2,863	(57)	(859)	(39)	(831)	1,077
8	2029-30	281,843	35,010	316,853	276,052	2,988	0	2,988	(60)	(896)	(41)	(876)	1,115
9	2030-31	293,117	35,710	328,827	288,026	3,118	0	3,118	(62)	(935)	(43)	(923)	1,154
10	2031-32	304,842	36,425	341,266	300,465	1,626	0	1,626	(33)	(488)	(22)	(382)	701

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 3-16-2001 (FY 2000-01 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 39

**Tax Increment Revenue Projection
 Merger 1 - Chinatown Original (WFRP)
 Fresno Redevelopment Agency
 (\$000's Omitted)**

		(1) Total Secured Fiscal Year	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$5,637	Gross Increment Revenue	NO TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -2.031%	(5) Triggered Statutory Sharing	Net Tax Revenue
43	2008-09	10,917	846	11,763	6,126	66	0	66	(1)	(13)	(1)	(6)	44
44	2009-10	11,353	863	12,217	6,579	71	0	71	(1)	(21)	(1)	(7)	40
45	2010-11	11,807	881	12,688	7,051	76	0	76	(2)	(23)	(2)	(8)	42
46	2011-12	12,280	898	13,178	7,541	82	0	82	(2)	(24)	(2)	(10)	44
47	2012-13	12,771	916	13,687	8,050	87	0	87	(2)	(26)	(2)	(11)	46
48	2013-14	13,282	934	14,216	8,579	93	0	93	(2)	(28)	(2)	(12)	49
49	2014-15	13,813	953	14,766	9,129	99	0	99	(2)	(30)	(2)	(15)	50
50	2015-16	14,366	972	15,338	9,701	105	0	105	(2)	(32)	(2)	(17)	52
51	2016-17	14,940	992	15,932	10,295	111	0	111	(2)	(33)	(2)	(20)	54
52	2017-18	15,538	1,011	16,549	10,912	118	0	118	(2)	(35)	(2)	(22)	56
53	2018-19	16,159	1,032	17,191	11,554	125	0	125	(3)	(38)	(3)	(24)	59
54	2019-20	16,806	1,052	17,858	12,221	132	0	132	(3)	(40)	(3)	(27)	60
55	2020-21	17,478	1,073	18,551	12,914	140	0	140	(3)	(42)	(3)	(29)	63
56	2021-22	18,177	1,095	19,272	13,635	148	0	148	(3)	(44)	(3)	(33)	64
1	2022-23	18,904	1,117	20,021	14,384	156	0	156	(3)	(47)	(3)	(35)	68
2	2023-24	19,660	1,139	20,799	15,162	164	0	164	(3)	(49)	(3)	(38)	70
3	2024-25	20,447	1,162	21,609	15,971	173	0	173	(3)	(52)	(4)	(42)	72
4	2025-26	21,265	1,185	22,450	16,812	182	0	182	(4)	(55)	(4)	(45)	75
5	2026-27	22,115	1,209	23,324	17,687	191	0	191	(4)	(57)	(4)	(49)	77
6	2027-28	23,000	1,233	24,233	18,596	201	0	201	(4)	(60)	(4)	(51)	82
7	2028-29	23,920	1,258	25,177	19,540	212	0	212	(4)	(63)	(4)	(55)	85
8	2029-30	24,877	1,283	26,159	20,522	222	0	222	(4)	(67)	(5)	(59)	88
9	2030-31	25,872	1,308	27,180	21,543	233	0	233	(5)	(70)	(5)	(63)	91
10	2031-32	26,907	1,335	28,241	22,604	122	0	122	(2)	(37)	(2)	(23)	58

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 1-1-2004 (FY 2003-04 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 40
Tax Increment Revenue Projection
Merger 1 - Chinatown Expanded
Fresno Redevelopment Agency
(\$000's Omitted)

		(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$19,236	Gross Increment Revenue	Increased Limit x 4 \$128,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -2.031%	(4) 2% Inflation Allocation	(5) Triggered Statutory Sharing	Net Tax Revenue
23	2008-09	37,284	2,131	39,415	20,179	218	0	218	(4)	(44)	(4)	(71)	0	95
24	2009-10	38,776	2,173	40,949	21,713	235	0	235	(5)	(71)	(5)	(75)	(3)	77
25	2010-11	40,327	2,217	42,543	23,307	252	0	252	(5)	(76)	(5)	(79)	(7)	80
26	2011-12	41,940	2,261	44,201	24,965	270	0	270	(5)	(81)	(5)	(83)	(10)	85
27	2012-13	43,617	2,306	45,924	26,688	289	0	289	(6)	(87)	(6)	(87)	(14)	89
28	2013-14	45,362	2,352	47,714	28,479	308	0	308	(6)	(92)	(6)	(92)	(18)	94
29	2014-15	47,177	2,399	49,576	30,340	328	0	328	(7)	(99)	(7)	(96)	(22)	99
30	2015-16	49,064	2,447	51,511	32,275	349	0	349	(7)	(105)	(7)	(100)	(26)	104
31	2016-17	51,026	2,496	53,523	34,287	371	0	371	(7)	(111)	(8)	(105)	(34)	106
32	2017-18	53,067	2,546	55,614	36,378	394	0	394	(8)	(118)	(8)	(109)	(43)	107
33	2018-19	55,190	2,597	57,787	38,551	417	0	417	(8)	(125)	(8)	(114)	(51)	110
34	2019-20	57,398	2,649	60,047	40,811	442	0	442	(9)	(133)	(9)	(119)	(60)	113
35	2020-21	59,694	2,702	62,396	43,160	467	0	467	(9)	(140)	(9)	(124)	(69)	116
36	2021-22	62,081	2,756	64,837	45,601	494	0	494	(10)	(148)	(10)	(129)	(79)	118
37	2022-23	64,565	2,811	67,376	48,140	521	0	521	(10)	(156)	(11)	(134)	(88)	122
38	2023-24	67,147	2,867	70,015	50,779	550	0	550	(11)	(165)	(11)	(139)	(98)	126
39	2024-25	69,833	2,925	72,758	53,522	579	0	579	(12)	(174)	(12)	(144)	(109)	129
40	2025-26	72,626	2,983	75,610	56,374	610	0	610	(12)	(183)	(12)	(149)	(120)	133
41	2026-27	75,531	3,043	78,574	59,338	642	0	642	(13)	(193)	(13)	(155)	(133)	136
42	2027-28	78,553	3,104	81,656	62,420	676	0	676	(14)	(203)	(14)	(160)	(144)	141
43	2028-29	81,695	3,166	84,861	65,625	710	0	710	(14)	(213)	(14)	(166)	(156)	147
44	2029-30	84,963	3,229	88,192	68,956	746	0	746	(15)	(224)	(15)	(172)	(169)	152
45	2030-31	88,361	3,294	91,655	72,419	784	0	784	(16)	(235)	(16)	(178)	(184)	155
46	2031-32	91,895	3,360	95,255	76,019	823	0	823	(16)	(247)	(17)	(184)	(197)	162
47	2032-33	95,571	3,427	98,998	79,762	863	0	863	(17)	(259)	(18)	(190)	(212)	168
48	2033-34	99,394	3,495	102,889	83,654	905	0	905	(18)	(272)	(18)	(196)	(227)	174
49	2034-35	103,370	3,565	106,935	87,699	949	0	949	(19)	(285)	(19)	(203)	(242)	182
50	2035-36	107,505	3,637	111,141	91,905	995	0	995	(20)	(298)	(20)	(209)	(259)	188
51	2036-37	111,805	3,709	115,514	96,278	1,042	0	1,042	(21)	(313)	(21)	(216)	(283)	189
52	2037-38	116,277	3,783	120,061	100,825	1,091	0	1,091	(22)	(327)	(22)	(223)	(304)	193
53	2038-39	120,928	3,859	124,787	105,551	1,143	0	1,143	(23)	(343)	(23)	(229)	(330)	194
1	2039-40	125,765	3,936	129,702	110,466	1,196	0	1,196	(24)	(359)	(24)	(237)	(354)	198
2	2040-41	130,796	4,015	134,811	115,575	1,251	0	1,251	(25)	(375)	(25)	(244)	(380)	202
3	2041-42	136,028	4,095	140,123	120,887	1,309	0	1,309	(26)	(393)	(27)	(251)	(408)	204
4	2042-43	141,469	4,177	145,646	126,410	1,368	0	1,368	(27)	(410)	(28)	(259)	(435)	209
5	2043-44	147,128	4,261	151,388	132,152	1,430	0	1,430	(29)	(429)	(29)	(266)	(464)	213
6	2044-45	153,013	4,346	157,359	138,123	1,495	0	1,495	(30)	(449)	(30)	(274)	(495)	217
7	2045-46	159,133	4,433	163,566	144,330	1,562	0	1,562	(31)	(469)	(32)	(282)	(527)	222
8	2046-47	165,499	4,522	170,020	150,784	1,632	0	1,632	(33)	(490)	(33)	(290)	(560)	227
9	2047-48	172,118	4,612	176,731	157,495	1,705	0	1,705	(34)	(511)	(35)	(298)	(593)	233
10	2048-49	179,003	4,704	183,707	164,472	890	0	890	(18)	(267)	(18)	(307)	(221)	59

(1) Secured value inflationary growth factor assumed at 4% per year.
(2) Unsecured value inflationary growth factor assumed to be 2% per year.
(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
(4) Source: Fresno Redevelopment Agency payment to Library District and County Auditor-Controller payment for Two Percent Inflation Allocation.
(5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 02-28-2006 (FY 2005-06 adjusted base).
Amended limits now reflect a 2-28-2016 debt incurrence limit, 2-28-2026 plan effectiveness limit and a 2-28-2036 debt repayment limit.

Table 41

**Tax Increment Revenue Projection
Merger 1 - Convention Center Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1)	(2)			Increased		(3)		(4)		
Fiscal	Total	Total	Total	Increment	Gross	Limit x 7	Total	County	Housing	Triggered	Net	
Year	Secured	Unsecured	Project	Over Base	Increment	\$357,000	Increment	Admin Fee	Set Aside	Statutory	Tax	
	104%	102%	Value	\$21,952	Revenue	TI Limit	Revenue	-2%	-30%	Sharing	Revenue	
27	2008-09	108,311	8,133	116,444	94,492	1,023	0	1,023	(20)	(205)	(121)	677
28	2009-10	112,644	8,296	120,939	98,987	1,071	0	1,071	(21)	(321)	(131)	598
29	2010-11	117,149	8,462	125,611	103,659	1,122	0	1,122	(22)	(337)	(141)	622
30	2011-12	121,835	8,631	130,466	108,514	1,175	0	1,175	(23)	(352)	(152)	647
31	2012-13	126,709	8,803	135,512	113,560	1,229	0	1,229	(25)	(369)	(163)	673
32	2013-14	131,777	8,980	140,757	118,804	1,286	0	1,286	(26)	(386)	(174)	700
33	2014-15	137,048	9,159	146,207	124,255	1,345	0	1,345	(27)	(403)	(196)	719
34	2015-16	142,530	9,342	151,872	129,920	1,406	0	1,406	(28)	(422)	(219)	737
35	2016-17	148,231	9,529	157,760	135,808	1,470	0	1,470	(29)	(441)	(242)	758
36	2017-18	154,160	9,720	163,880	141,928	1,536	0	1,536	(31)	(461)	(267)	778
37	2018-19	160,327	9,914	170,241	148,289	1,605	0	1,605	(32)	(482)	(292)	799
38	2019-20	166,740	10,112	176,852	154,900	1,677	0	1,677	(34)	(503)	(318)	822
39	2020-21	173,410	10,315	183,724	161,772	1,751	0	1,751	(35)	(525)	(346)	845
40	2021-22	180,346	10,521	190,867	168,915	1,828	0	1,828	(37)	(549)	(375)	868
41	2022-23	187,560	10,731	198,291	176,339	1,909	0	1,909	(38)	(573)	(404)	894
42	2023-24	195,062	10,946	206,008	184,056	1,992	0	1,992	(40)	(598)	(434)	921
43	2024-25	202,865	11,165	214,030	192,077	2,079	0	2,079	(42)	(624)	(467)	947
44	2025-26	210,979	11,388	222,367	200,415	2,169	0	2,169	(43)	(651)	(500)	975
45	2026-27	219,418	11,616	231,034	209,082	2,263	0	2,263	(45)	(679)	(535)	1,004
46	2027-28	228,195	11,848	240,043	218,091	2,361	0	2,361	(47)	(708)	(570)	1,035
47	2028-29	237,323	12,085	249,408	227,456	2,462	0	2,462	(49)	(739)	(607)	1,067
48	2029-30	246,816	12,327	259,143	237,191	2,567	0	2,567	(51)	(770)	(646)	1,100
49	2030-31	256,688	12,574	269,262	247,310	2,677	0	2,677	(54)	(803)	(686)	1,134
50	2031-32	266,956	12,825	279,781	257,829	2,791	0	2,791	(56)	(837)	(728)	1,170
51	2032-33	277,634	13,081	290,716	268,763	2,909	0	2,909	(58)	(873)	(772)	1,206
52	2033-34	288,740	13,343	302,083	280,130	3,032	0	3,032	(61)	(910)	(817)	1,245
53	2034-35	300,289	13,610	313,899	291,947	3,160	0	3,160	(63)	(948)	(879)	1,270
1	2035-36	312,301	13,882	326,183	304,231	3,293	0	3,293	(66)	(988)	(944)	1,295
2	2036-37	324,793	14,160	338,953	317,000	3,431	0	3,431	(69)	(1,029)	(1,009)	1,324
3	2037-38	337,784	14,443	352,227	330,275	3,575	0	3,575	(72)	(1,073)	(1,078)	1,353
4	2038-39	351,296	14,732	366,028	344,075	3,724	0	3,724	(74)	(1,117)	(1,150)	1,383
5	2039-40	365,348	15,027	380,374	358,422	3,880	0	3,880	(78)	(1,164)	(1,224)	1,414
6	2040-41	379,962	15,327	395,289	373,336	4,041	0	4,041	(81)	(1,212)	(1,301)	1,447
7	2041-42	395,160	15,634	410,794	388,841	4,209	0	4,209	(84)	(1,263)	(1,383)	1,479
8	2042-43	410,966	15,946	426,913	404,960	4,383	0	4,383	(88)	(1,315)	(1,467)	1,514
9	2043-44	427,405	16,265	443,670	421,718	4,565	0	4,565	(91)	(1,369)	(1,553)	1,551
10	2044-45	444,501	16,591	461,092	439,140	2,377	0	2,377	(48)	(713)	(576)	1,040

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 1-1-2004 (FY 2003-04 adjusted base). Amended limits now reflect a 1-1-2014 debt incurrence limit, 1-12-2022 plan effectiveness limit and a 1-12-2032 debt repayment limit.

Table 42

**Tax Increment Revenue Projection
Merger 1 -Fulton Redevelopment Project
Fresno Redevelopment Agency
(\$000's Omitted)**

	Fiscal Year	(1)		(2)			NO TI Limit Forfeiture	(3)	(4)			Net Tax Revenue
		Total Secured 104%	Total Unsecured 102%	Total Project Value	Increment Over Base \$55,074	Gross Increment Revenue		Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -20%	Triggered Statutory Sharing	
10	2008-09	95,756	8,260	104,016	48,942	530	0	530	(11)	(106)	(106)	307
11	2009-10	99,586	8,425	108,011	52,937	573	0	573	(11)	(115)	(122)	325
12	2010-11	103,569	8,594	112,163	57,089	618	0	618	(12)	(124)	(138)	344
13	2011-12	107,712	8,766	116,478	61,404	665	0	665	(13)	(133)	(156)	363
14	2012-13	112,021	8,941	120,962	65,887	713	0	713	(14)	(143)	(173)	383
15	2013-14	116,502	9,120	125,621	70,547	764	0	764	(15)	(153)	(192)	404
16	2014-15	121,162	9,302	130,464	75,390	816	0	816	(16)	(163)	(211)	425
17	2015-16	126,008	9,488	135,496	80,422	871	0	871	(17)	(174)	(231)	448
18	2016-17	131,048	9,678	140,726	85,652	927	0	927	(19)	(185)	(252)	471
19	2017-18	136,290	9,872	146,162	91,088	986	0	986	(20)	(197)	(274)	495
20	2018-19	141,742	10,069	151,811	96,737	1,047	0	1,047	(21)	(209)	(296)	520
21	2019-20	147,412	10,270	157,682	102,608	1,111	0	1,111	(22)	(222)	(320)	547
22	2020-21	153,308	10,476	163,784	108,710	1,177	0	1,177	(24)	(235)	(344)	574
23	2021-22	159,440	10,685	170,126	115,051	1,245	0	1,245	(25)	(249)	(369)	602
24	2022-23	165,818	10,899	176,717	121,643	1,317	0	1,317	(26)	(263)	(396)	631
25	2023-24	172,451	11,117	183,568	128,494	1,391	0	1,391	(28)	(278)	(423)	662
26	2024-25	179,349	11,339	190,688	135,614	1,468	0	1,468	(29)	(294)	(451)	694
27	2025-26	186,523	11,566	198,089	143,015	1,548	0	1,548	(31)	(310)	(481)	727
28	2026-27	193,984	11,797	205,781	150,707	1,631	0	1,631	(33)	(326)	(511)	761
29	2027-28	201,743	12,033	213,776	158,702	1,718	0	1,718	(34)	(344)	(543)	797
30	2028-29	209,813	12,274	222,087	167,013	1,808	0	1,808	(36)	(362)	(576)	834
31	2029-30	218,205	12,520	230,725	175,651	1,901	0	1,901	(38)	(380)	(621)	862
32	2030-31	226,933	12,770	239,703	184,629	1,998	0	1,998	(40)	(400)	(668)	891
33	2031-32	236,011	13,025	249,036	193,962	2,100	0	2,100	(42)	(420)	(716)	921
34	2032-33	245,451	13,286	258,737	203,663	2,205	0	2,205	(44)	(441)	(767)	953
35	2033-34	255,269	13,552	268,821	213,747	2,314	0	2,314	(46)	(463)	(819)	986
36	2034-35	265,480	13,823	279,303	224,228	2,427	0	2,427	(49)	(485)	(874)	1,020
37	2035-36	276,099	14,099	290,198	235,124	2,545	0	2,545	(51)	(509)	(930)	1,055
38	2036-37	287,143	14,381	301,524	246,450	2,668	0	2,668	(53)	(534)	(989)	1,092
39	2037-38	298,629	14,669	313,298	258,223	2,795	0	2,795	(56)	(559)	(1,050)	1,130
40	2038-39	310,574	14,962	325,536	270,462	2,928	0	2,928	(59)	(586)	(1,114)	1,170
41	2039-40	322,997	15,261	338,258	283,184	3,065	0	3,065	(61)	(613)	(1,180)	1,211
42	2040-41	335,917	15,567	351,483	296,409	3,208	0	3,208	(64)	(642)	(1,249)	1,254
43	2041-42	349,354	15,878	365,231	310,157	3,357	0	3,357	(67)	(671)	(1,320)	1,299
44	2042-43	363,328	16,195	379,523	324,449	3,512	0	3,512	(70)	(702)	(1,394)	1,345
45	2043-44	377,861	16,519	394,380	339,306	3,673	0	3,673	(73)	(735)	(1,471)	1,393
46	2044-45	392,975	16,850	409,825	354,751	0	0	0	0	0	0	0

(1) Secured value inflationary growth factor assumed at 4% per year.

(2) Unsecured value inflationary growth factor assumed to be 2% per year.

(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.

(4) Project Areas adopted after 1-1-1994 are subject to the statutory pass through obligations set forth under H&S Code Section 33607.5.

Table 43

**Tax Increment Revenue Projection
Merger 1 - Jefferson Center Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1)	(2)			Increased		(3)			(4)	(4)	(5)	
Fiscal	Total	Total	Total	Increment	Gross	Limit x 2	Total	County	Housing	Library	2%	Triggered	Net	
Year	Secured	Unsecured	Project	Over Base	Increment	\$470,000	Increment	Admin Fee	Set Aside	Pass Thru	Inflation	Statutory	Tax	
	104%	102%	Value	\$36,422	Revenue	TI Limit	Revenue	-2%	-30%	-1.6551%	Allocation	Sharing	Revenue	
24	2008-09	101,718	9,763	111,481	75,059	812	0	812	(16)	(162)	(13)	(77)	(33)	510
25	2009-10	105,787	9,958	115,745	79,323	859	0	859	(17)	(258)	(14)	(81)	(43)	446
26	2010-11	110,019	10,157	120,176	83,753	907	0	907	(18)	(272)	(15)	(85)	(52)	464
27	2011-12	114,419	10,360	124,780	88,357	956	0	956	(19)	(287)	(16)	(89)	(61)	484
28	2012-13	118,996	10,567	129,564	93,141	1,008	0	1,008	(20)	(302)	(17)	(94)	(72)	503
29	2013-14	123,756	10,779	134,535	98,112	1,062	0	1,062	(21)	(319)	(18)	(98)	(82)	525
30	2014-15	128,706	10,994	139,701	103,278	1,118	0	1,118	(22)	(335)	(19)	(103)	(94)	545
31	2015-16	133,855	11,214	145,069	108,646	1,176	0	1,176	(24)	(353)	0	(107)	(115)	578
32	2016-17	139,209	11,438	150,647	114,225	1,236	0	1,236	(25)	(371)	0	(112)	(136)	593
33	2017-18	144,777	11,667	156,444	120,022	1,299	0	1,299	(26)	(390)	0	(117)	(160)	607
34	2018-19	150,568	11,901	162,469	126,046	1,364	0	1,364	(27)	(409)	0	(121)	(183)	623
35	2019-20	156,591	12,139	168,730	132,307	1,432	0	1,432	(29)	(430)	0	(126)	(207)	641
36	2020-21	162,855	12,381	175,236	138,813	1,503	0	1,503	(30)	(451)	0	(131)	(234)	656
37	2021-22	169,369	12,629	181,998	145,575	1,576	0	1,576	(32)	(473)	0	(137)	(259)	676
38	2022-23	176,143	12,882	189,025	152,603	1,652	0	1,652	(33)	(496)	0	(142)	(287)	694
39	2023-24	183,189	13,139	196,328	159,906	1,731	0	1,731	(35)	(519)	0	(147)	(315)	715
40	2024-25	190,517	13,402	203,919	167,496	1,813	0	1,813	(36)	(544)	0	(153)	(346)	734
41	2025-26	198,137	13,670	211,807	175,385	1,898	0	1,898	(38)	(570)	0	(158)	(377)	756
42	2026-27	206,063	13,943	220,006	183,584	1,987	0	1,987	(40)	(596)	0	(164)	(409)	778
43	2027-28	214,305	14,222	228,528	192,105	2,079	0	2,079	(42)	(624)	0	(170)	(442)	802
44	2028-29	222,878	14,507	237,384	200,962	2,175	0	2,175	(44)	(653)	0	(176)	(476)	828
45	2029-30	231,793	14,797	246,590	210,167	2,275	0	2,275	(45)	(682)	0	(182)	(513)	852
46	2030-31	241,064	15,093	256,157	219,735	2,378	0	2,378	(48)	(714)	0	(188)	(550)	880
47	2031-32	250,707	15,395	266,102	229,679	2,486	0	2,486	(50)	(746)	0	(194)	(589)	907
48	2032-33	260,735	15,703	276,438	240,015	2,598	0	2,598	(52)	(779)	0	(201)	(630)	936
49	2033-34	271,165	16,017	287,181	250,759	2,714	0	2,714	(54)	(814)	0	(207)	(672)	967
50	2034-35	282,011	16,337	298,348	261,926	2,835	0	2,835	(57)	(851)	0	(214)	(715)	999
51	2035-36	293,292	16,664	309,956	273,533	2,961	0	2,961	(59)	(888)	0	(221)	(775)	1,018
52	2036-37	305,023	16,997	322,020	285,598	3,091	0	3,091	(62)	(927)	0	(227)	(836)	1,039
53	2037-38	317,224	17,337	334,561	298,139	3,227	0	3,227	(65)	(968)	0	(235)	(900)	1,060
1	2038-39	329,913	17,684	347,597	311,175	3,368	0	3,368	(67)	(1,010)	0	(242)	(968)	1,081
2	2039-40	343,110	18,037	361,147	324,725	3,515	0	3,515	(70)	(1,054)	0	(249)	(1,037)	1,104
3	2040-41	356,834	18,398	375,232	338,810	3,667	0	3,667	(73)	(1,100)	0	(257)	(1,109)	1,128
4	2041-42	371,108	18,766	389,874	353,451	3,826	0	3,826	(77)	(1,148)	0	(264)	(1,183)	1,154
5	2042-43	385,952	19,141	405,093	368,671	3,991	0	3,991	(80)	(1,197)	0	(272)	(1,261)	1,181
6	2043-44	401,390	19,524	420,914	384,492	4,162	0	4,162	(83)	(1,249)	0	(280)	(1,342)	1,208
7	2044-45	417,446	19,915	437,360	400,938	4,340	0	4,340	(87)	(1,302)	0	(288)	(1,427)	1,236
8	2045-46	434,144	20,313	454,457	418,034	4,525	0	4,525	(90)	(1,357)	0	(297)	(1,514)	1,266
9	2046-47	451,509	20,719	472,229	435,806	4,717	0	4,717	(94)	(1,415)	0	(305)	(1,604)	1,299
10	2047-48	469,570	21,134	490,703	454,281	2,459	0	2,459	(49)	(738)	0	(314)	(580)	778

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District and County Auditor-Controller payment for Two Percent Inflation Allocation.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior debt incurrence limit was 12-18-2004 (FY 2003-04 adjusted base).
Amended limits now reflect a 12-18-2014 debt incurrence limit, 12-18-2024 plan effectiveness limit and a 12-18-2034 debt repayment limit.

Table 44

**Tax Increment Revenue Projection
Merger 1 - Mariposa Project
Fresno Redevelopment Agency
(\$000's Omitted)**

	(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$20,102	Gross Increment Revenue	Increased Limit x 3 \$150,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.3723%	(5) Triggered Statutory Sharing	Net Tax Revenue	
40	2008-09	137,556	11,021	148,576	128,474	1,391	0	1,391	(28)	(278)	0	(139)	946
41	2009-10	143,058	11,241	154,299	134,197	1,453	0	1,453	(29)	(436)	0	(162)	826
42	2010-11	148,780	11,466	160,246	140,144	1,517	0	1,517	(30)	(455)	0	(186)	846
43	2011-12	154,732	11,695	166,427	146,324	1,584	0	1,584	(32)	(475)	0	(210)	867
44	2012-13	160,921	11,929	172,850	152,748	1,653	0	1,653	(33)	(496)	0	(235)	889
45	2013-14	167,358	12,168	179,525	159,423	1,726	0	1,726	(35)	(518)	0	(261)	912
46	2014-15	174,052	12,411	186,463	166,361	1,801	0	1,801	(36)	(540)	0	(288)	937
47	2015-16	181,014	12,659	193,673	173,571	1,879	0	1,879	(38)	(564)	0	(317)	961
48	2016-17	188,255	12,912	201,167	181,065	1,960	0	1,960	(39)	(588)	0	(346)	987
49	2017-18	195,785	13,171	208,955	188,853	2,044	0	2,044	(41)	(613)	0	(376)	1,014
50	2018-19	203,616	13,434	217,050	196,948	2,132	0	2,132	(43)	(640)	0	(409)	1,041
51	2019-20	211,761	13,703	225,464	205,361	2,223	0	2,223	(44)	(667)	0	(441)	1,071
52	2020-21	220,231	13,977	234,208	214,106	2,318	0	2,318	(46)	(695)	0	(476)	1,100
53	2021-22	229,040	14,256	243,297	223,194	2,416	0	2,416	(48)	(725)	0	(511)	1,132
1	2022-23	238,202	14,542	252,744	232,641	2,518	0	2,518	(50)	(755)	0	(549)	1,163
2	2023-24	247,730	14,832	262,563	242,460	2,624	0	2,624	(52)	(787)	0	(587)	1,198
3	2024-25	257,639	15,129	272,768	252,666	2,735	0	2,735	(55)	(820)	0	(627)	1,233
4	2025-26	267,945	15,432	283,377	263,274	2,850	0	2,850	(57)	(855)	0	(669)	1,269
5	2026-27	278,663	15,740	294,403	274,301	2,969	0	2,969	(59)	(891)	0	(713)	1,306
6	2027-28	289,809	16,055	305,864	285,762	3,093	0	3,093	(62)	(928)	0	(758)	1,345
7	2028-29	301,402	16,376	317,778	297,675	3,222	0	3,222	(64)	(967)	0	(804)	1,387
8	2029-30	313,458	16,704	330,161	310,059	3,356	0	3,356	(67)	(1,007)	0	(869)	1,413
9	2030-31	325,996	17,038	343,034	322,931	3,496	0	3,496	(70)	(1,049)	0	(934)	1,443
10	2031-32	339,036	17,379	356,414	336,312	1,820	0	1,820	(36)	(546)	0	(295)	943

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 2-14-1999 (FY 1998-99 adjusted base). Amended limits now reflect a 1-14-2009 debt incurrence limit, 1-14-2009 plan effectiveness limit and a 1-14-2019 debt repayment limit.

Table 45

**Tax Increment Revenue Projection
Merger 1 - South Van Ness Redevelopment Project
Fresno Redevelopment Agency
(\$000's Omitted)**

	(1)	(2)					(3)	(4)			
Fiscal Year	Total Secured 104%	Total Unsecured 102%	Total Project Value	Increment Over Base \$141,681	Gross Increment Revenue	NO TI Limit Forfeiture	Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -20%	Triggered Statutory Sharing	Net Tax Revenue
10 2008-09	141,402	39,254	180,656	38,975	416	0	416	(8)	(83)	(83)	241
11 2009-10	147,058	40,039	187,097	45,416	485	0	485	(10)	(97)	(109)	270
12 2010-11	152,940	40,840	193,780	52,099	556	0	556	(11)	(111)	(135)	299
13 2011-12	159,058	41,657	200,715	59,033	630	0	630	(13)	(126)	(162)	330
14 2012-13	165,420	42,490	207,910	66,229	707	0	707	(14)	(141)	(190)	361
15 2013-14	172,037	43,340	215,377	73,695	787	0	787	(16)	(157)	(220)	394
16 2014-15	178,918	44,207	223,125	81,444	870	0	870	(17)	(174)	(250)	428
17 2015-16	186,075	45,091	231,166	89,485	955	0	955	(19)	(191)	(282)	464
18 2016-17	193,518	45,993	239,511	97,829	1,045	0	1,045	(21)	(209)	(314)	500
19 2017-18	201,259	46,913	248,171	106,490	1,137	0	1,137	(23)	(227)	(349)	538
20 2018-19	209,309	47,851	257,160	115,479	1,233	0	1,233	(25)	(247)	(384)	578
21 2019-20	217,681	48,808	266,489	124,808	1,333	0	1,333	(27)	(267)	(420)	619
22 2020-21	226,389	49,784	276,173	134,491	1,436	0	1,436	(29)	(287)	(459)	662
23 2021-22	235,444	50,780	286,224	144,543	1,543	0	1,543	(31)	(309)	(498)	706
24 2022-23	244,862	51,795	296,657	154,976	1,655	0	1,655	(33)	(331)	(539)	752
25 2023-24	254,656	52,831	307,487	165,806	1,770	0	1,770	(35)	(354)	(582)	799
26 2024-25	264,843	53,888	318,730	177,049	1,890	0	1,890	(38)	(378)	(626)	849
27 2025-26	275,436	54,966	330,402	188,721	2,015	0	2,015	(40)	(403)	(672)	900
28 2026-27	286,454	56,065	342,519	200,837	2,144	0	2,144	(43)	(429)	(719)	953
29 2027-28	297,912	57,186	355,098	213,417	2,279	0	2,279	(46)	(456)	(769)	1,009
30 2028-29	309,828	58,330	368,158	226,477	2,418	0	2,418	(48)	(484)	(820)	1,066
31 2029-30	322,221	59,496	381,718	240,037	2,563	0	2,563	(51)	(513)	(889)	1,110
32 2030-31	335,110	60,686	395,797	254,116	2,713	0	2,713	(54)	(543)	(962)	1,155
33 2031-32	348,515	61,900	410,415	268,734	2,869	0	2,869	(57)	(574)	(1,037)	1,202
34 2032-33	362,455	63,138	425,593	283,912	3,031	0	3,031	(61)	(606)	(1,114)	1,250
35 2033-34	376,954	64,401	441,354	299,673	3,200	0	3,200	(64)	(640)	(1,195)	1,301
36 2034-35	392,032	65,689	457,721	316,039	3,374	0	3,374	(67)	(675)	(1,279)	1,353
37 2035-36	407,713	67,003	474,716	333,034	3,556	0	3,556	(71)	(711)	(1,366)	1,408
38 2036-37	424,022	68,343	492,364	350,683	3,744	0	3,744	(75)	(749)	(1,457)	1,464
39 2037-38	440,982	69,710	510,692	369,011	3,940	0	3,940	(79)	(788)	(1,550)	1,523
40 2038-39	458,622	71,104	529,725	388,044	4,143	0	4,143	(83)	(829)	(1,648)	1,584
41 2039-40	476,967	72,526	549,492	407,811	4,354	0	4,354	(87)	(871)	(1,749)	1,647
42 2040-41	496,045	73,976	570,022	428,340	4,573	0	4,573	(91)	(915)	(1,855)	1,713
43 2041-42	515,887	75,456	591,343	449,662	4,801	0	4,801	(96)	(960)	(1,964)	1,781
44 2042-43	536,522	76,965	613,488	471,806	5,038	0	5,038	(101)	(1,008)	(2,077)	1,852
45 2043-44	557,983	78,504	636,488	494,807	5,283	0	5,283	(106)	(1,057)	(2,195)	1,926
46 2044-45	580,303	80,074	660,377	518,696	0	0	0	0	0	0	0

(1) Secured value inflationary growth factor assumed at 4% per year.

(2) Unsecured value inflationary growth factor assumed to be 2% per year.

(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.

(4) Project Areas adopted after 1-1-1994 are subject to the statutory pass through obligations set forth under H&S Code Section 33607.5.

Table 46

**Tax Increment Revenue Projection
Merger 1 - West Fresno I Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$2,691	Gross Increment Revenue	Increased Limit x 3 \$27,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.3924%	(5) Triggered Statutory Sharing	Net Tax Revenue
44	2008-09	15,514	8,075	23,589	20,899	226	0	226	(5)	(45)	0	(16)	160
45	2009-10	16,135	8,237	24,371	21,681	235	0	235	(5)	(70)	0	(18)	142
46	2010-11	16,780	8,401	25,182	22,491	243	0	243	(5)	(73)	0	(22)	144
47	2011-12	17,451	8,569	26,021	23,330	253	0	253	(5)	(76)	0	(24)	148
48	2012-13	18,150	8,741	26,890	24,199	262	0	262	(5)	(79)	0	(28)	150
49	2013-14	18,876	8,916	27,791	25,100	272	0	272	(5)	(82)	0	(32)	153
50	2014-15	19,631	9,094	28,724	26,034	282	0	282	(6)	(85)	0	(35)	157
51	2015-16	20,416	9,276	29,691	27,001	292	0	292	(6)	(88)	0	(39)	160
52	2016-17	21,232	9,461	30,694	28,003	303	0	303	(6)	(91)	0	(43)	163
53	2017-18	22,082	9,650	31,732	29,041	314	0	314	(6)	(94)	0	(48)	166
54	2018-19	22,965	9,844	32,808	30,118	326	0	326	(7)	(98)	0	(52)	170
55	2019-20	23,884	10,040	33,924	31,233	338	0	338	(7)	(101)	0	(56)	174
56	2020-21	24,839	10,241	35,080	32,389	351	0	351	(7)	(105)	0	(61)	177
57	2021-22	25,832	10,446	36,278	33,588	364	0	364	(7)	(109)	0	(66)	181
1	2022-23	26,866	10,655	37,521	34,830	377	0	377	(8)	(113)	0	(70)	186
2	2023-24	27,940	10,868	38,808	36,118	391	0	391	(8)	(117)	0	(75)	191
3	2024-25	29,058	11,085	40,143	37,453	405	0	405	(8)	(122)	0	(80)	196
4	2025-26	30,220	11,307	41,527	38,837	420	0	420	(8)	(126)	0	(86)	200
5	2026-27	31,429	11,533	42,962	40,271	436	0	436	(9)	(131)	0	(91)	205
6	2027-28	32,686	11,764	44,450	41,759	452	0	452	(9)	(136)	0	(97)	210
7	2028-29	33,994	11,999	45,993	43,302	469	0	469	(9)	(141)	0	(104)	215
8	2029-30	35,353	12,239	47,593	44,902	486	0	486	(10)	(146)	0	(110)	221
9	2030-31	36,768	12,484	49,252	46,561	504	0	504	(10)	(151)	0	(120)	223
10	2031-32	38,238	12,734	50,972	48,281	261	0	261	(5)	(78)	0	(28)	150

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 11-01-1999 (FY 1998-99 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 47

**Tax Increment Revenue Projection
Merger 1 - West Fresno II Project
Fresno Redevelopment Agency
(\$000's Omitted)**

		(1) Total Secured 104%	(2) Total Unsecured 102%	Total Project Value	Increment Over Base \$2,045	Gross Increment Revenue	Increased Limit x 2 \$120,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Triggered Statutory Sharing	Net Tax Revenue
45	2008-09	84,008	3,823	87,831	85,786	929	0	929	(19)	(186)	0	724
46	2009-10	87,368	3,900	91,268	89,223	966	0	966	(19)	(290)	(13)	644
47	2010-11	90,863	3,978	94,841	92,796	1,004	0	1,004	(20)	(301)	(27)	656
48	2011-12	94,497	4,057	98,555	96,510	1,045	0	1,045	(21)	(313)	(42)	668
49	2012-13	98,277	4,138	102,416	100,371	1,086	0	1,086	(22)	(326)	(57)	682
50	2013-14	102,208	4,221	106,430	104,385	1,130	0	1,130	(23)	(339)	(73)	695
51	2014-15	106,297	4,306	110,602	108,557	1,175	0	1,175	(24)	(353)	(90)	709
52	2015-16	110,549	4,392	114,940	112,895	1,222	0	1,222	(24)	(367)	(107)	724
53	2016-17	114,971	4,480	119,450	117,405	1,271	0	1,271	(25)	(381)	(125)	739
54	2017-18	119,569	4,569	124,139	122,094	1,322	0	1,322	(26)	(396)	(144)	755
55	2018-19	124,352	4,661	129,013	126,968	1,374	0	1,374	(27)	(412)	(163)	772
56	2019-20	129,326	4,754	134,080	132,035	1,429	0	1,429	(29)	(429)	(184)	788
57	2020-21	134,499	4,849	139,348	137,303	1,486	0	1,486	(30)	(446)	(204)	807
58	2021-22	139,879	4,946	144,825	142,780	1,546	0	1,546	(31)	(464)	(226)	825
1	2022-23	145,475	5,045	150,519	148,474	1,607	0	1,607	(32)	(482)	(248)	845
2	2023-24	151,293	5,146	156,439	154,394	1,671	0	1,671	(33)	(501)	(272)	864
3	2024-25	157,345	5,249	162,594	160,549	1,738	0	1,738	(35)	(521)	(297)	885
4	2025-26	163,639	5,353	168,993	166,948	1,807	0	1,807	(36)	(542)	(322)	907
5	2026-27	170,185	5,461	175,645	173,600	1,879	0	1,879	(38)	(564)	(349)	929
6	2027-28	176,992	5,570	182,562	180,517	1,954	0	1,954	(39)	(586)	(377)	952
7	2028-29	184,072	5,681	189,753	187,708	2,032	0	2,032	(41)	(610)	(405)	977
8	2029-30	191,435	5,795	197,229	195,184	2,113	0	2,113	(42)	(634)	(445)	992
9	2030-31	199,092	5,911	205,003	202,958	2,197	0	2,197	(44)	(659)	(485)	1,009
10	2031-32	207,056	6,029	213,084	211,040	1,142	0	1,142	(23)	(343)	(78)	699

- (1) Secured value inflationary growth factor assumed at 4% per year.
- (2) Unsecured value inflationary growth factor assumed to be 2% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 1-19-1999 (FY 1998-99 adjusted base). Amended limits now reflect a 1-1-2009 debt incurrence limit, 1-1-2009 plan effectiveness limit and a 1-1-2019 debt repayment limit.

Table 48

**Tax Increment Revenue Projection
 Merger 1 - West Fresno III Project
 Fresno Redevelopment Agency
 (\$000's Omitted)**

	(1)	(2)				Existing		(3)			(4)	
Fiscal	Total	Total	Total	Increment	Gross	Limit x 1		Total	County	Housing	Triggered	Net
Year	Secured	Unsecured	Project	Over Base	Increment	\$8,000		Increment	Admin Fee	Set Aside	Statutory	Tax
	102%	100%	Value	\$43	Revenue	TI Limit		Revenue	-2%	-30%	Sharing	Revenue
40	2008-09	29	0	29	(14)	0	0	0	0	0	0	0
41	2009-10	30	0	30	(14)	0	0	0	0	0	0	0
42	2010-11	30	0	30	(13)	0	0	0	0	0	0	0
43	2011-12	31	0	31	(12)	0	0	0	0	0	0	0
44	2012-13	31	0	31	(12)	0	0	0	0	0	0	0
45	2013-14	32	0	32	(11)	0	0	0	0	0	0	0
46	2014-15	33	0	33	(10)	0	0	0	0	0	0	0
47	2015-16	33	0	33	(10)	0	0	0	0	0	0	0
48	2016-17	34	0	34	(9)	0	0	0	0	0	0	0
49	2017-18	35	0	35	(8)	0	0	0	0	0	0	0
50	2018-19	35	0	35	(8)	0	0	0	0	0	0	0
51	2019-20	36	0	36	(7)	0	0	0	0	0	0	0
1	2020-21	37	0	37	(6)	0	0	0	0	0	0	0
2	2021-22	37	0	37	(6)	0	0	0	0	0	0	0
3	2022-23	38	0	38	(5)	0	0	0	0	0	0	0
4	2023-24	39	0	39	(4)	0	0	0	0	0	0	0
5	2024-25	40	0	40	(3)	0	0	0	0	0	0	0
6	2025-26	41	0	41	(3)	0	0	0	0	0	0	0
7	2026-27	41	0	41	(2)	0	0	0	0	0	0	0
8	2027-28	42	0	42	(1)	0	0	0	0	0	0	0
9	2028-29	43	0	43	(0)	0	0	0	0	0	0	0
10	2029-30	44	0	44	1	0	0	0	0	0	0	0

- (1) Secured value inflationary growth factor assumed at 2% per year.
- (2) Unsecured value inflationary growth factor assumed to be 0% per year.
- (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller for FY 2006-07.
 For those Project Areas with a cumulative revenue limit, if projected revenues exceed the limit, the annual forfeiture of tax increment has also been projected.
- (4) Source: Fresno Redevelopment Agency payment to Library District.
- (5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Prior plan effectiveness and debt incurrence limits were 2-14-1999 (FY 1998-99 adjusted base). Amended limits now reflect a 1-14-2009 debt incurrence limit, 1-14-2009 plan effectiveness limit and a 1-14-2019 debt repayment limit.

IX. AMENDMENT TO THE AGENCY'S IMPLEMENTATION PLAN

On June 7, 2005, the Redevelopment Agency adopted Resolution No. 1661, approving a Multi-Project Five-Year Implementation Plan for the Constituent Project Areas in Merger No. 1. The Implementation Plan covers the five-year time period from June 7, 2005 through June 17, 2010. The Implementation Plan describes the Agency's goals and objectives for the Constituent Project Areas, a summary of the specific programs and estimated expenditures proposed to be made by the Agency during the five-year period of the Implementation Plan, explains how the goals and objectives, projects, and expenditures will eliminate blight within each Constituent Project Area, and implementation of the Agency's affordable housing program.

The purpose of this amendment to the Implementation Plan is to provide updated revenue and expenditure estimates. In the adopted Implementation Plan, the Agency had estimated that the new tax increment revenues available to the Agency for the five year time period would be \$17,155,000 for the non-housing programs and \$3,278,642 for the affordable housing program. The Agency now expects that the new tax increment revenues available to the Agency for the non-housing programs would be \$20,453,500, and the affordable housing program funds would be \$6,581,200. The estimate for funds received from Sale, Lease, and Loan Proceeds has been updated to reflect a lesser amount, primarily due to revised project implementation schedules.

Anticipated expenditures for the Agency's programs over the implementation plan's five year time period from June 7, 2005 through June 7, 2010 are as follows:

Table 49: Projected Agency Expenditures – FY 2005-2010

Program	Original 2005 Implementation Plan Estimates	2008 Plan Amendment Estimates
Administration and Planning	\$1,715,500	\$2,431,500
Land Assembly	\$3,775,500	\$5,200,000
Project Area Improvements	\$8,405,000	\$11,700,000
Business Revitalization and Attraction	\$3,259,500	\$4,500,000
Total for Non-Housing Programs	\$17,155,000	\$23,831,500
Affordable Housing Programs ⁴¹	\$3,278,642	\$6,581,200
TOTAL AGENCY PROGRAMS	\$20,433,642	\$30,412,700

⁴¹ An estimated 55 percent of these funds would be used to fund housing rehabilitation projects by the Agency's Community Housing Partnership Program (CHPP) with the Housing Authorities of the City and County of Fresno. The remaining 45 percent of the funds would provide gap financing for developments that assist the Agency in meeting its goals to revitalize distressed areas of the City designated as redevelopment project areas and meet the Agency's inclusionary and replacement housing requirements.

Estimated funds for the Agency's programs over the Implementation Plan's five-year time period from June 7, 2005 through June 7, 2010, are as follows:

Table 50: Projected Agency Revenues – FY 2005-2010

Program	Original 2005 Implementation Plan Estimates	2008 Plan Amendment Estimates
Tax Increment (carryover)	\$1,675,500	\$1,675,000
New Tax Increment	\$12,649,500	\$20,453,500
Sale, Lease, and Loan Proceeds	\$2,830,500	\$1,703,000
Total for Non-Housing Funds	\$17,155,000	\$23,831,500
Housing Set Aside Funds ⁴²	\$3,278,642	\$6,581,200
TOTAL AGENCY PROGRAMS	\$20,433,642	\$30,412,700

A status report on Agency achievements since the adoption of the Implementation Plan is scheduled for the Fall of 2008.

⁴² For 2010, the estimated funding amounts for low and moderate income housing are based on the 30 percent Set Aside requirement for 8 of the 10 Project Areas in Merger No. 1, per CRL requirement for amending existing plans.

X. NEIGHBORHOOD IMPACT REPORT

CRL Section 33333.11(e)(8) requires a new neighborhood impact report if required by subdivision (m) of CRL Section 33353, i.e. if the redevelopment project contains low or moderate income housing. The neighborhood impact report must describe the impact of the project upon the residents of the Project Area and surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report must also include the following:

- (1) The number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of a redevelopment project.
- (2) The number of persons and families of low or moderate income expected to be displaced by the project.
- (3) The general location of housing to be rehabilitated, developed, or constructed pursuant to CRL Section 33413.
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, other than replacement housing.
- (5) The projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation.
- (6) A projected timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.

A. IMPACT ON RESIDENTS IN THE PROJECT AREA AND SURROUNDING AREAS

1. Relocation

The purposes of the proposed Amendments are to extend time and financial limits, extend the Agency's authority to utilize eminent domain as described in Section II, and to "streamline" eight of the constituent redevelopment plans to provide a process for future compatibility with any amendments to the City General Plan and Community Plans. The Project Area contains an estimated 2,215 occupied housing units. Given the relatively low levels of income and high percentage of families below the poverty level in the

Project Area (as described in Section II of this Report), it is assumed that a significant portion of these units are occupied by low or moderate income persons or families.

In the near-term the Agency does not anticipate causing the relocation of any persons or families. However, future land assembly efforts necessary for completion of the Regional Medical Center in the Jefferson area, or future land assembly for new development and residential infill development in the Chinatown area could involve the acquisition and displacement of existing housing. Any non-voluntary or voluntary displacement that occurs as a result of Agency redevelopment activities will be mitigated by adoption of relocation plans and relocation assistance including financial payments, advisory assistance, and replacement housing plan provisions of State law relating to Agency assisted developments. These provisions are further described in the Agency's Method or Plan for Relocation adopted for each of the Constituent Plans within the Project Area at the time of adoption and are incorporated herein by reference.

According to the Agency, from September 1998 through October 2003, the Agency has caused the removal of 108 units with 209 bedrooms from the low and moderate income housing market within the Project Area. This has included 32 units (53 bedrooms) in the Regional Medical Center Phase I/Fresno Street Widening Project in 1998; 68 units (134 bedrooms) in the Regional Medical Center Phase II Project from 2001 through 2004; and 8 units (22 bedrooms) in the Old Armenian Town Project in 2003. The replacement obligations include replacement by other low and moderate income units for the units removed from the low and moderate income market due to the moving and subsequent rehabilitation of one historic structure from the Regional Medical Center Phase II Project, and four historic structures that have been moved and stored from the Old Armenian Town Project. The Agency is in compliance with all applicable replacement housing obligations for the Project Area, per CRL requirements.

Going forward, any units removed or destroyed by the Agency will be replaced by comparable units as required by law. Residents will not be displaced until there are relocation units available for occupancy at costs comparable to those paid by the residents at the time of displacement. The Agency will assist displaced residents in finding housing that is decent, safe and sanitary and within their financial means. Relocation assistance will include advisory assistance, financial payments, and other provisions required by State law.

It is also possible that implementation of a redevelopment project may require the temporary or permanent displacement of non-residential occupants (i.e. businesses) within the Project Area. In each case, the Agency will use its best efforts to find relocation sites meeting the needs of the individual businesses displaced by Agency activity as required by law. In addition, the Agency will work with property owners to

provide every opportunity for them to participate in the redevelopment of their own properties in the Project Area. The Agency will additionally offer re-entry opportunities where feasible to existing business owners and tenants on a preferential basis.

2. Traffic Circulation

As described in Section IV.E, the existing street network is not user friendly and suffers from a number of network and local intersection deficiencies. Portions of the original grid system have been compromised by the closures of streets to create superblocks for development and by barriers due to the freeways and railroad rights of way. The street grid interfaces between the original downtown diagonal grid and the later north-south street grid also cause confusion to motorists and creates awkward and confusing intersections. Other issues include awkward transitions between one-way streets and two-way streets, atypical spacing between one-way street couplets, a weak hierarchy of streets, and an ineffective way-finding system.

It is anticipated that over the remaining life of the Project Area, streets may be realigned or abandoned, or new streets may be constructed to improve traffic circulation in the Project Area. In addition, as described in Section VI, the Agency may undertake a number of street improvements. Redevelopment activities undertaken in accordance to adopted City plans and guidelines will help alleviate some of these deficiencies.

3. Environmental Quality

The Initial Study prepared for the Amendments reviewed the potential impacts of the Amendments on air quality, water quality, biological resources, noise, historic resources and aesthetics. The Amendments are not expected to create impacts to environmental quality beyond the anticipated impacts that have been considered for development in the City's General Plan. As described in the following paragraphs, through redevelopment activities such as the removal or redevelopment of deteriorated, substandard and obsolete buildings, the development and reuse of existing vacant lots, and the installation of new and repair of existing public improvements to alleviate blight, many of the Agency's activities will improve the overall quality of the environment in the Project Area.

a. Air Quality

The City (and thus the Project Area) is located within the San Joaquin Valley Air Basin (SJVAB). In part due to the geography of the SJVAB, air movement is restricted and the environment is predisposed to poor air quality. The SJVAB is considered a non-

attainment area for selected pollutants and any new construction or development is likely to contribute pollutants into the atmosphere. There are a number of mitigation measures that have been included in the General Plan Master EIR (GP MEIR) to alleviate and reduce the impacts of growth and development on air quality. One of the goals of redevelopment of the Project Area is to encourage infill and brownfield development to help reduce the demand for Greenfield development and the resultant increase in vehicle miles traveled and air emissions. The Amendments will not result in any additional impacts beyond those identified in the GP MEIR. Development and redevelopment projects in the Project Area will be subject to the same requirements as any other development activity in the City. It is anticipated that through the implementation of the mitigation measures required by the City and described in the GP MEIR, potential impacts to air quality can be significantly reduced.

b. Biological Resources

The Project Area is highly urbanized and surrounded by dense urbanization. There are no wetlands in the Project Area and native habitat has been removed over time as the Project Area and surroundings developed. There are no sensitive habitats located within the Project Area. The GP MEIR determined that implementation of the General Plan would have a less-than-significant impact on biological resources. As the redevelopment activities will fall within the limits analyzed in the GP MEIR, there would be no significant impacts on biological resources by the Amendments.

c. Noise

As a highly urbanized area incorporating active rail lines and surrounded by freeways, the noise environment in the Project Area includes areas subject to high noise levels. Mitigation measures included in the GP MEIR were intended to address noise levels and assess their impacts on an individual bases for any proposed development projects. Because the Project Area is already highly developed, the infill development that is likely to occur is unlikely to increase noise levels above levels that would be considered significant according to the City's General Plan Noise Element and Noise Ordinance. The Amendments will not have an impact on railroad operations. Therefore, the Amendments will have no significant impact on the overall noise environment.

d. Cultural and Historic Resources

The City has plans and policies in place to protect cultural and historic resources, including a Historic Preservation Ordinance and a Resource Conservation Element in the General Plan. These plans and policies are designed to prevent the loss of historically significant resources, including structures, and archeological and

paleontological resources and sites. The majority of historical sites are in the core area of downtown within the Project Area. There are currently 3 proposed Historic Districts within the Project Area: the Saint John's Cathedral, Santa Fe Warehouse, and the L Street Historic Districts. The City and the Agency are also cooperatively working on completion of the research necessary to determine if portions of the Chinatown area would be eligible for inclusion in a Historic District. Properties proposed for redevelopment activities will be screened and examined in accordance with City policies. One of the Agency's goals is to reuse and rehabilitate structures that contribute to the historic fabric of the City. As the redevelopment activities will be subject to the mitigation measures outlined in the GP MEIR for the preservation of archeological and paleontological resources, significant negative impacts on historical and cultural resources by the Amendments are not anticipated.

e. Aesthetics

Existing conditions in the Project Area include vacant and/or deteriorated buildings, vacant lots with weeds and trash, unscreened outdoor storage, and areas with mixed uses (residential and industrial intermixed). There are no scenic vistas or adopted view corridors in the Project Area that could be affected by redevelopment activities. Redevelopment activities would help alleviate visual blighting influences through the rehabilitation of deteriorated buildings, and improvements to landscaping and streetscapes, and fencing and screening of outdoor storage.

4. Community Facilities and Services

a. Fire, Emergency and Police Protection

Fire and emergency services are provided by the Fresno Fire Department (FFD). The Project Area is served by three fire stations: Nos. 3, 4 and 8. Emergency medical services are provided by a private contractor. Police protection is provided by the Fresno Police Department (FPD). The Project Area is within two of the FPD's five patrol divisions: the Southwest Division and the Central Division. The California Highway Patrol (CHP) provides law enforcement services related to the State highway system. It is anticipated that there will be some growth in the population in the Project Area as infill development occurs and thus the demand for fire, emergency and police services may increase. However, it is also anticipated that the redevelopment of deteriorated and substandard buildings will improve the safety and overall environment of the Project Area including the rehabilitation or removal of buildings determined to be unsafe in accordance with the City's Unsafe Building Ordinance. The installation of improved street lighting and improvement in the overall streetscape along commercial corridors

and pedestrian-oriented streets in the downtown should increase pedestrian activity, improve safety and reduce crime.

b. Parks

Parks and recreational space are maintained by the Parks, After School, Recreation and Community Services (PARCS) Department of the City. The primary park and recreation spaces serving the Project Area are Eaton Plaza, Fulton Mall and Dickey Park/Playground. In addition, the Project Area is also served by the Fresno County Courthouse Park in the downtown core and school playground facilities maintained by the FUSD. One of the Agency's priorities is to provide additional parks and recreation space. Sites on vacant railroad rights of way west of the Santa Fe railroad right-of-way between Belmont Avenue and Divisadero Street have been identified for potential park space. Streetscape improvements proposed for the Project Area would also provide green corridors through the Project Area.

c. Public Utilities

The City's primary water source is treated and untreated ground water from the Fresno Sole Source Aquifer. The groundwater is supplemented with treated surface water and an active recharge system protects the aquifer. According to the Initial Study, the City's network of water supply wells and distribution mains is considered generally sufficient to accommodate existing development and future development in the Project Area. Although the major transmission lines are adequate, water service laterals may need to be replaced or upgraded to accommodate continued development in the Project Area. The Amendments, by providing the Agency with additional time and resources, would be able to provide assistance to the City with the installation of upgraded water facilities to encourage the removal of blight and redevelopment of properties in the Project Area.

The City is the regional provider of sewer services and wastewater treatment. The City collects and conveys wastewater to the Fresno-Clovis Regional Wastewater Treatment Facility, which has a capacity of 80 million gallons per day (MGD). Currently, the facility receives 68 MGD. The sewer system consists of a hierarchy of pipelines ranging in size from small diameter pipes (6 to 10 inches) that connect individual properties to large trunk or interceptor sewers (30 inches or more) that convey wastewater to the Treatment Facility. While the trunk sewer lines serving the Project Area are of adequate capacity, there are deficiencies within the sewer main system. There are sewer lines in the Project Area that date back to the 1880s and some sections of the sewer system would not be able to support planned General Plan land uses. Some of the industrial and older residential lots in the Project Area are not connected to the sewer system and utilize on-site septic systems. Modernization of the system has been completed on a piecemeal

approach. The Amendments, by given the Agency more time and resources, would be able to provide assistance to the City in the installation of upgraded wastewater treatment facilities to encourage the removal and blight and redevelopment of properties in the Project Area.

Flood and drainage control in the Fresno metropolitan area is provided by the Fresno Metropolitan Flood Control District (FMFCD), which manages a system of interconnected surface conveyances (e.g. streets and gutters), storm drain inlets and pipelines, detention and retention basins, pump stations and outfalls that collect and drain runoff from developed land areas. The system is designed to retain and filter as much runoff as possible, it discharges into irrigation canals, creeks and the San Joaquin River. The FMFCD has completed extensive improvements to the system and cleans inlets and pipelines to prevent obstructions. Drainage service for new development is funded through development fees paid upon approval. As with the other public infrastructure systems in the Project Area, the Amendments would allow the Agency additional time and resources that could be utilized to help improve existing drainage control by the installation of streets and gutters and curbs, and other system components to encourage redevelopment and the alleviation of blight in the Project Area.

Communication services (telephone, cable and internet) are provided by several companies to the Project Area. The majority of communication systems in the Project Area are underground, though there are also communication towers for wireless services within the Project Area as well. There are no known deficiencies in the communication systems within the Project Area. The Amendments are not expected to have any negative effects on communicational services.

5. School Population and Quality of Education

The Project Area is served by the Fresno Unified School District (FUSD) for grades K–12. The FUSD maintains a number of schools and administrative sites within the Project Area. The redevelopment of the Project Area could potentially increase school population due to increases in resident population because of construction of new residential units, and by non-residential development to a lesser degree. The FUSD has enacted developer's fees to offset the effects of residential and non-residential development related to school facilities. In addition, the FUSD, as an affected taxing entity, receives a portion of the tax increment generated in the Fulton and South Van Ness Industrial areas. Upon adoption of the Amendments, the FUSD will also receive a portion of the tax increment from the remaining Constituent Project Areas. In addition, alleviating the blighting conditions, especially in the portions of the Project Area that have experienced declining or stagnant property values, would encourage reinvestment

in the Project Area, which would cause property values to increase. Such increases would generate additional property tax revenue for schools, as they would receive a portion of the increased property tax revenues, when properties are sold or improvements to the property are made. The state legislature recognized the potential impact to schools by redevelopment funding and specifically provided a net increase in funding for school capital improvements under AB 1290. The Amendments are not expected to have negative impacts on school population or quality of education.

6. Property Taxes and Assessments

The proposed Amendments will not cause property taxes to increase. Regardless of whether a property is in the Project Area or not, the County Tax Assessor may increase property valuations for existing properties at a maximum rate of 2 percent per year, as allowed under Proposition 13. In general, property tax increases above the 2 percent allowed under Proposition 13 occur in two circumstances: 1) when a property is sold; and 2) when improvements are made. These provisions apply irrespective of whether the property is within the Project Area. During the life of each Constituent Plan, taxable valuation of property in and adjoining the Project Area should increase in value as development or redevelopment of properties occurs. New development within the Project Area will be assessed in the same manner as property outside of the Project Area: at market value, as determined by the County Tax Assessor. In cases where a property is sold to another party, the property will be reassessed at market value.

Another matter potentially affecting property taxes in the Project Area and surrounding areas would be the possibility of additional levies resulting from the formation of special assessment districts. The financing of the redevelopment program, as outlined in this Report, assumes no special assessments within the Project Area and there are no proposals for formation of special assessment districts at this time.

B. RELOCATION AND LOW AND MODERATE INCOME HOUSING

As described in Section VI, the Agency has two programs for increasing, improving and preserving the community's supply of affordable housing. The following is a discussion of the specific issues that are required to be address by Section 33333.11(e)(8) of the CRL Related to these efforts.

1. Housing Units to be Destroyed or Removed

The Agency may be involved in projects in the near-term while continuing to develop in the Chinatown Area and the continued expansion of the Regional Medical Center. In the event that any low and moderate housing units within the area are displaced, the Agency will provide replacement housing units and assistance to the displaced persons or families as required by State law, the CRL, and the Agency's policies and guidelines regarding relocation.

2. Projected Residential Displacement and Number and Location of Replacement Housing Units

As described in the preceding paragraph, the Agency does not anticipate the displacement of low or moderate income residents due to its redevelopment activities. However, if such displacement occurs, the Agency will identify such locations prior to such displacement. These locations are anticipated to be found within Project Area boundaries or in adjacent areas with sufficient vacant or underutilized properties.

3. Number and Location of Low and Moderate Income Housing Units Planned Other Than Replacement Housing

The Agency estimates that approximately 1,469 new low and moderate income housing units are planned during 2008-2013, as follows: 5 units in the Jefferson area, 200 units in the Fulton area, 767 in the Convention Center area, 325 units in the Central Business District area, and 172 in the Mariposa area.

4. Financing Method for Replacement Housing Requirements

The primary source of financing for any replacement housing units will be the Agency's Low and Moderate Income Housing Funds.

5. Timetable for the Provision of Relocation Housing

The Agency does not anticipate the displacement of residents, but if such displacement occurs, the Agency will develop a timetable as part of a Replacement Housing Plan(s) for the provisions of replacement units that ensure the units will be available within the time limits prescribed by law.

C. OTHER MATTERS AFFECTING THE PHYSICAL ENVIRONMENT

The proposed Amendments should have beneficial impacts on property owners and business owners in the Project Area. The implementation of Agency projects and programs consistent with the objectives of the General Plan and the Community Plans will bring about coordinated growth and development, and improvements in the public infrastructure system that will make the Project Area a more attractive place to live and work. Continued implementation of the Agency's projects and programs will also stimulate reinvestment by the private sector and further assist in the alleviation of blighting conditions. In addition, the Project Area will provide housing opportunities for current and future residents within the Project Area at a variety of income levels.

XI. DESCRIPTION OF BONDS SOLD BY THE AGENCY PRIOR TO THE ANTICIPATED ADOPTION DATE OF THE AMENDMENTS

Section 33333.11(e)(9) requires that a description of each bond sold by the Agency to finance or refinance the redevelopment project prior to six months before the date of the adoption of the proposed amendment be included in the preliminary report. The description must include the amount of the remaining principal for each bond sold, the annual payments, and the date that the bond will be paid in full.

The Agency currently has one outstanding bond issue for the Project Area: a 2003 Series A bond issue for the Mariposa Project Area for the Civic Center Square/Kern Street Improvements (2003 Mariposa Series A). The 2003 Mariposa Series A bonds were issued August 1, 2003 with a principal amount of \$5,005,000, a term of February 1, 2023 and with a variable interest rate. The 2007-2008 principal and interest payment was \$424,811. Estimated payments through the term of the bond (into fiscal year 2023-2024) are shown on Table 51.

Table 51: Estimated 2003 Mariposa Series A Bond Payments

	Fiscal Year	Est. Payment
1	2008-09	\$427,000
2	2009-10	\$427,000
3	2010-11	\$427,000
4	2011-12	\$430,000
5	2012-13	\$428,000
6	2013-14	\$430,000
7	2014-15	\$431,000
8	2015-16	\$431,000
9	2016-17	\$436,000
10	2017-18	\$433,000
11	2018-19	\$435,000
12	2019-20	\$436,000
13	2020-21	\$440,000
14	2021-22	\$437,000
15	2022-23	\$443,000
16	2023-24	\$442,000
	Total	\$6,933,000

Estimated payments rounded to the nearest thousand dollars.

APPENDICES

Appendix 1: References

Appendix 2: Field Survey Methodology

Appendix 3: Standard Quality Classifications for Office Space

Appendix 4: Single-Family Residential Property Sales Transaction Data

Appendix 5: Space Available for Lease

Appendix 6: Estimate of Average Annual Supermarket Sales

Appendix 1: References

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Appendix 2: Field Survey Methodology

GIS-based tools were used to organize and standardize data collection. The GIS tools were based on the City's street and parcel layers, projected at NAD83, California State Plane IV in US feet.

Information from the City's GIS parcel layer was joined with data from the County Assessor's Office, as provided by Metroscan. This dataset included the following types of information: parcel number, owner name, Assessor's land use category, Assessor's property values for land and buildings, whether the parcels was part of a group of multiple parcels in the same ownership, and home ownership tax exemption status.

Field survey data was collected on 38 criteria. The data fell into four categories: Land Use, Overcrowding/Intense Use, Nuisances, and Design or Construction Defects. Each property was assigned an "Overall Condition" rating: Good, Deferred Maintenance, Deteriorated, Dilapidated, or N/A (properties with obscured views that could not be rated). These data fields were added to the database, along with additional fields for general comments. In addition, the team took pictures of select representative buildings and the photo numbers were recorded in a separate field. A sample of the first page of the data collection form is shown below. The second page of data is shown on the following page.

Parcels

City Data and Land Use | Deficiencies | Attributes

Fresno Redevelopment Study

APN: Owner:

Address: Address2:

Legal Description:

Lot Width: Lot Depth: Area:

Surveyor: Survey Date:

Land Use

Parking Lot Vacant Bldg Special Land Use:

Vacant Lot Boarded Window Laundromat

Underutilized Site Boarded Entry

Incompatible Land Use Obstructed View

ok cancel

Parcel verification data

Surveyor ID, date

"Special Land Use" categories includes neighborhood-serving retail and community facilities.

The screenshot shows a software window titled "Parcels" with three tabs: "City Data and Land Use", "Deficiencies", and "Attributes". The "Deficiencies" tab is active, displaying three sections of checkboxes:

- Indicators of Overcrowding:**
 - Trailers as Housing
 - Garage Conversion
 - Open Storage
 - Loading/Parking Conflicts
 - Excess Vehicles
 - Overcrowding
- Nuisances:**
 - Litter
 - Debris
 - Dumping
 - Graffiti
 - Exposed Dirt
 - Weeds
 - Abandoned Cars
 - Homeless
- Building Conditions:**
 - HazMat Sign
 - Substandard Construction
 - Obsolete Building
 - UMB
 - Code Inspection Needed
 - Opportunity Site
 - Check for haz mats

Below these sections are:

- An "Overall Rating" dropdown menu.
- A "Photo Number(s)" text input field and a "Property for Sale" checkbox.
- A "Comments" text input field.

 At the bottom left are "ok" and "x" buttons.

Signs that building or parcel is overused

Lack of maintenance by occupants and/or City

Surveyor recommends further examination

Ratings: Good, Deferred Maintenance, Deteriorated, Dilapidated, N/A

The "Comments" field was used to record unique information about a parcel, such as the name of a business, additional signs of serious deterioration or dilapidation. Responses here were limited to 50 characters.

The survey team is experienced in assessing properties. Three of the four surveyors have master's degrees in Urban Planning or Architecture, and the fourth has a bachelor's degree with a certificate in construction management. Work history in planning, design, or construction ranged from seven to thirty years. The field team surveyed in pairs, and each team had a team leader with experience surveying at least 10,000 properties. Prior to starting work, the team reviewed the ranking criteria, and synchronized their use of the evaluation criteria by practicing together in the field on several parcels.

Surveying was conducted either from within a vehicle or on foot while standing in the public right of way (sidewalk). Data was entered directly into the database through the GIS software ArcPad from ESRI. The computers used were convertible laptops from Fujitsu (model 2010T or 4020T) or a Panasonic Toughbook (C18).

One additional team member with a background in environmental engineering served as a driver, and advised surveyors in the industrial areas regarding the potential presence of hazardous materials.

Each evening, records from surveyed parcels were transferred to one computer for review and combining into a "daily" data set. The daily data set was reviewed for overlaps and missed parcels, and the daily progress files were archived and mapped. The file of remaining parcels to survey, as well as the combined file of completed parcels, was uploaded back onto the laptops in anticipation of the following day's work.

A limited number (86) of parcels in the Project Area were not surveyed. The parcels not surveyed were primarily residential parcels in situations where the survey team could not observe conditions on the parcel (due to high walls or shrubbery, or some other type of view obstruction). The 86 parcels not surveyed represent 3 percent of the parcels in the Project Area.

Appendix 3: Standard Quality Classifications for Office Space

The following office space definitions are taken from the *Office Development Handbook, Second Edition, 1998* published by the Urban Land Institute (ULI). The relative quality of an office building is weighed by taking a number of characteristics into account, including its age, location, building materials, building systems, amenities, lease rates and terms, occupancy, management, and tenant profile. Office space is generally divided into three classes:

Class A - Investment-grade buildings, generally the most desirable in their markets, offering an excellent location and first-rate design, building systems, amenities, and management. Class A buildings command the market's highest rents and attract creditworthy tenants. While some older properties can be renovated and repositioned as Class A properties, Class A space usually is limited to primarily new, highly competitive buildings. In some markets, Class A+ space is a distinct class, consisting generally of one-of-a-kind trophy or signature building that feature outstanding architecture, building materials, location, and management.

Class B - Buildings with good locations, management, and construction, and little functional obsolescence or deterioration. Class B space is found generally in well-located buildings of an earlier generation that have been maintained to a high standard.

Class C - Buildings that are substantially older than Class A and Class B buildings and that have not been modernized. Class C buildings are often functionally obsolete and often contain asbestos or other environmental hazards. While data for Class A and Class B office space are available in most markets, Class C space is seldom tracked with any accuracy. Definitions of Class C space, even within a single market, are not standard. Their low values make many Class C office buildings potential candidates for demolition or conversion to other uses.

**APPENDIX 4
SINGLE FAMILY RESIDENTIAL PROPERTY SALES TRANSACTIONS
FRESNO MERGER 1 PROJECT AREAS
FRESNO REDEVELOPMENT AGENCY**

<u>Address</u>	<u>Sale Date</u>	<u>Sale Amount</u>	<u>Building SF</u>	<u>Price per SF</u>	<u>Lot SF</u>	<u># Bed</u>	<u># Bath</u>	<u>Year Built</u>
1. 2336 E Thomas Ave	Jan 2002	\$64,000	1,104	\$57.97	7,500	2	1	1944
2. 2240 S Cherry Ave	Feb 2002	\$44,500	1,302	\$34.18	6,600	4	2	1950
3. 268 N St	Feb 2002	\$10,000	1,874	\$5.34	21,150	3	2	1970
4. 2236 S Cherry Ave	Apr 2002	\$17,500	1,286	\$13.61	2,125	4	1	1950
5. 2704 E Madison Ave	Apr 2002	\$64,500	912	\$70.72	6,250	2	1	1930
6. 2535 E Washington Ave	Apr 2002	\$56,500	1,122	\$50.36	5,625	3	1	1920
7. 2424 E Thomas Ave	Jun 2002	\$57,500	1,069	\$53.79	11,250	2	1	1937
8. 2809 E Mckenzie Ave	Jul 2002	\$63,000	965	\$65.28	5,625	2	1	1940
9. 337 E St	Jul 2002	\$28,000	962	\$29.11	5,550	2	1	1924
10. 2333 S Orinda St	Aug 2002	\$26,000	884	\$29.41	7,125	0	0	1927
11. 147 N U St	Aug 2002	\$40,000	853	\$46.89	3,750	3	1	1937
12. 305 E St	Sep 2002	\$60,000	1,446	\$41.49	9,300	3	1	1910
13. 2321 E Grant Ave	Sep 2002	\$84,500	1,125	\$75.11	6,750	2	1	1920
14. 237 N Effie St	Oct 2002	\$50,000	1,306	\$38.28	5,000	1	1	1912
15. 2389 S Grace St	Oct 2002	\$15,000	528	\$28.41	6,250	0	0	1920
16. 3055 E Church Ave	Oct 2002	\$15,000	905	\$16.57	6,600	0	0	1925
17. 2329 E Grant Ave	Nov 2002	\$15,000	884	\$16.97	6,250	2	1	1916
18. 3064 E Ventura St	Nov 2002	\$55,000	1,559	\$35.28	6,800	0	0	1920
19. 1511 Ventura St	Nov 2002	\$65,000	3,432	\$18.94	6,970	0	0	1938
20. 215 N Clark St	Dec 2002	\$75,000	1,326	\$56.56	5,625	3	1	1923
21. 2204 E Thomas Ave	Dec 2002	\$75,000	1,148	\$65.33	7,500	3	1	1925
22. 245 N Mariposa St	Dec 2002	\$82,500	1,380	\$59.78	4,625	3	1	1914
23. 145 Fulton St	Jan 2003	\$37,000	916	\$40.39	5,365	0	0	1921
24. 531 N Clark St	Jan 2003	\$41,000	610	\$67.21	3,750	1	1	1925
25. 2526 E Mckenzie Ave	Jan 2003	\$41,500	965	\$43.01	4,650	2	1	1918
26. 2529 E Washington Ave	Feb 2003	\$81,500	1,429	\$57.03	7,500	2	1	1925
27. 320 L St	Feb 2003	\$35,000	828	\$42.27	7,500	0	0	1915
28. 2417 E Thomas Ave	Mar 2003	\$51,000	764	\$66.75	7,500	2	1	1951
29. 2147 S Lily Ave	Mar 2003	\$38,000	880	\$43.18	7,500	2	1	1939
30. 2617 E Grant Ave	Mar 2003	\$131,500	1,507	\$87.26	6,250	3	2	1934
31. 2317 S Cherry Ave	Mar 2003	\$8,500	308	\$27.60	7,500	0	0	1923
32. 2536 E Mckenzie Ave	Apr 2003	\$72,500	912	\$79.50	4,650	3	1	1922
33. 422 N Clark St	Apr 2003	\$75,000	1,435	\$52.26	6,250	3	1	1910
34. 251 N Clark St	Apr 2003	\$72,500	1,088	\$66.64	6,250	3	1	1916
35. 317 E St	Apr 2003	\$30,000	640	\$46.88	5,550	2	1	1916
36. 244 N St	Jun 2003	\$58,000	972	\$59.67	5,950	3	1	1965
37. 1749 L St	Jun 2003	\$1,050,000	5,118	\$205.16	11,250	0	0	1920
38. 444 N Valeria St	Jun 2003	\$50,000	1,144	\$43.71	6,250	3	1	1912
39. 2803 E Grant Ave	Jul 2003	\$19,000	1,462	\$13.00	6,250	5	2	1917
40. 2803 E Washington Ave	Jul 2003	\$123,000	1,298	\$94.76	7,500	4	2	2003
41. 145 N Diana St	Jul 2003	\$81,000	990	\$81.82	7,500	2	1	1912
42. 2845 E Grant Ave	Jul 2003	\$80,000	1,445	\$55.36	6,250	3	1	1915
43. 2729 E Madison Ave	Jul 2003	\$56,000	1,431	\$39.13	6,250	3	1	1920
44. 378 N Fresno St	Aug 2003	\$50,000	1,062	\$47.08	4,720	0	1	1918
45. 2338 S East Ave	Sep 2003	\$79,000	704	\$112.22	6,250	0	0	1920

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46. 2313 S Grace St	Sep 2003	\$70,000	640	\$109.38	6,250	3	0	1935
47. 2315 S Orinda St	Oct 2003	\$57,000	468	\$121.79	6,250	0	0	1948
48. 122 N Effie St	Oct 2003	\$43,500	1,396	\$31.16	7,500	3	1	1912
49. 2711 E Grant Ave	Nov 2003	\$24,000	648	\$37.04	3,125	1	1	1939
50. 333 N St	Nov 2003	\$60,000	2,475	\$24.24	5,550	0	0	1920
51. 364 N St	Nov 2003	\$135,000	1,620	\$83.33	15,300	5	2	2003
52. 2602 E Madison Ave	Dec 2003	\$136,000	1,217	\$111.75	6,250	3	1	1925
53. 2311 E Thomas Ave	Dec 2003	\$78,500	708	\$110.88	5,100	2	1	1912
54. 344 N Clark St	Dec 2003	\$58,000	1,144	\$50.70	4,625	3	1	1910
55. 212 N U St	Dec 2003	\$85,000	1,168	\$72.77	6,250	3	1	1917
56. 482 N Thesta St	Jan 2004	\$59,000	1,290	\$45.74	6,750	0	0	1930
57. 337 N St	Jan 2004	\$45,000	883	\$50.96	5,550	0	0	1915
58. 372 N St	Feb 2004	\$132,000	1,620	\$81.48	6,450	5	2	2003
59. 1440 E Divisadero St	Mar 2004	\$110,000	1,899	\$57.93	7,600	0	0	1910
60. 2341 S Cherry Ave	Apr 2004	\$10,000	850	\$11.76	7,500	0	0	1915
61. 220 N U St	Apr 2004	\$107,500	816	\$131.74	6,250	2	1	1917
62. 2721 E Madison Ave	Apr 2004	\$92,500	1,374	\$67.32	6,250	4	1	1918
63. 3120 Tulare St	Apr 2004	\$310,000	6,928	\$44.75	35,719	0	0	
64. 2742 E Washington Ave	Apr 2004	\$107,000	1,030	\$103.88	7,740	3	1	1914
65. 488 N St	May 2004	\$165,000	1,400	\$117.86	18,000	4	2	1935
66. 2625 E Madison Ave	May 2004	\$195,000	1,684	\$115.80	6,250	3	1	1915
67. 2230 E White Ave	May 2004	\$124,000	810	\$153.09	7,500	2	1	1916
68. 520 N St	May 2004	\$270,000	1,582	\$170.67	7,360	3	2	1972
69. 2735 E Madison Ave	Jun 2004	\$92,000	712	\$129.21	6,250	1	1	1976
70. 2211 E White Ave	Jul 2004	\$87,000	882	\$98.64	7,500	2	1	1946
71. 444 N St	Jul 2004	\$45,000	775	\$58.06	18,000	2	1	1930
72. 223 N U St	Jul 2004	\$45,000	1,260	\$35.71	6,250	1	1	1962
73. 2723 E Nevada Ave	Aug 2004	\$160,000	1,380	\$115.94	10,000	3	2	1961
74. 2636 E Washington Ave	Aug 2004	\$135,000	1,069	\$126.29	4,810	2	1	1915
75. 1329 Los Angeles St	Aug 2004	\$95,000	864	\$109.95	7,500	2	1	1934
76. 340 N Valeria St	Aug 2004	\$95,000	1,368	\$69.44	7,500	5	2	1989
77. 2622 E Mckenzie Ave	Aug 2004	\$110,000	873	\$126.00	2,820	2	1	1918
78. 2139 S Lily Ave	Aug 2004	\$125,000	1,997	\$62.59	7,500	3	2	1953
79. 2224 E White Ave	Aug 2004	\$76,000	808	\$94.06	6,250	2	1	1916
80. 2532 E Belmont Ave	Sep 2004	\$120,500	1,219	\$98.85	4,250	0	0	1920
81. 2219 E White Ave	Sep 2004	\$96,000	1,020	\$94.12	7,500	2	1	1924
82. 451 N Howard Ave	Sep 2004	\$100,000	994	\$100.60	6,345	2	1	1924
83. 2225 E Grant Ave	Sep 2004	\$75,000	1,107	\$67.75	6,250	3	1	1912
84. 331 N Diana St	Sep 2004	\$75,000	1,062	\$70.62	3,125	2	1	1920
85. 205 F St	Oct 2004	\$200,500	806	\$248.76	7,500	2	1	1906
86. 2140 S Rose Ave	Oct 2004	\$95,500	800	\$119.38	5,355	3	1	1925
87. 3072 E Ventura St	Oct 2004	\$134,000	1,364	\$98.24	6,800	0	0	1920
88. 2236 E White Ave	Nov 2004	\$135,000	858	\$157.34	7,500	2	1	1920
89. 466 N Valeria St	Nov 2004	\$131,000	960	\$136.46	5,000	3	1	1910
90. 315 F St	Nov 2004	\$135,000	1,240	\$108.87	7,500	3	1	1910

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91. 2241 S Nicholas Ave	Nov 2004	\$40,000	1,426	\$28.05	5,625	4	2	
92. 119 N Diana St	Nov 2004	\$10,000	1,500	\$6.67	5,000	5	2	
93. 255 N Mariposa St	Dec 2004	\$117,000	1,016	\$115.16	6,250	3	1	1917
94. 2524 E Madison Ave	Dec 2004	\$165,000	1,393	\$118.45	6,250	3	1	1913
95. 2440 E White Ave	Jan 2005	\$115,000	884	\$130.09	7,500	0	0	1920
96. 285 N Diamond St	Jan 2005	\$163,000	1,392	\$117.10	6,125	3	1	1920
97. 2803 E Madison Ave	Jan 2005	\$199,000	1,713	\$116.17	6,250	4	2	1918
98. 2324 S Anna St	Jan 2005	\$15,000	816	\$18.38	5,000	0	0	1920
99. 534 N Clark St	Feb 2005	\$115,000	1,210	\$95.04	7,500	3	1	1922
100. 2324 S Grace St	Feb 2005	\$5,000	1,008	\$4.96	6,250	0	0	1915
101. 2509 E Madison Ave	Feb 2005	\$139,000	1,152	\$120.66	10,019	0	0	1976
102. 2220 E Thomas Ave	Feb 2005	\$155,000	624	\$248.40	11,250	1	1	1940
103. 412 N Effie St	Feb 2005	\$136,000	1,009	\$134.79	7,500	2	1	1939
104. 2035 E White Ave	Mar 2005	\$120,000	1,008	\$119.05	7,500	3	2	1926
105. 2828 E Madison Ave	Mar 2005	\$90,000	852	\$105.63	6,250	2	1	1917
106. 2530 E Thomas Ave	Mar 2005	\$188,000	940	\$200.00	7,500	2	1	1927
107. 2262 E Thomas Ave	Mar 2005	\$75,000	784	\$95.66	3,750	1	1	1928
108. 2845 E Madison Ave	Mar 2005	\$161,000	1,246	\$129.21	6,250	3	1	1925
109. 363 N Diana St	Mar 2005	\$142,000	1,112	\$127.70	4,625	4	2	
110. 1334 Monterey St	Mar 2005	\$33,001	912	\$36.19	2,300	3	1	1912
111. 2250 E Thomas Ave	Apr 2005	\$160,000	988	\$161.94	7,500	1	1	1906
112. 163 N U St	Apr 2005	\$180,000	1,012	\$177.87	5,000	1	1	1918
113. 474 N Thesta St	Apr 2005	\$104,000	1,017	\$102.26	6,750	2	1	1920
114. 2251 S Nicholas Ave	Apr 2005	\$125,000	898	\$139.20	7,500	2	1	1927
115. 2268 E Thomas Ave	Apr 2005	\$75,000	1,012	\$74.11	7,500	2	1	1915
116. 382 N Effie St	Apr 2005	\$165,000	1,272	\$129.72	4,625	3	1	1912
117. 2224 S Cherry Ave	Apr 2005	\$45,000	312	\$144.23	5,000	0	0	1922
118. 2234 S Cherry Ave	Apr 2005	\$45,000	480	\$93.75	1,750	1	1	1922
119. 370 N Fresno St	Apr 2005	\$125,000	871	\$143.51	5,400	0	0	1918
120. 2323 S Orinda St	Apr 2005	\$87,000	576	\$151.04	7,125	0	0	1948
121. 375 N Thesta St	Apr 2005	\$110,000	671	\$163.93	6,250	2	1	1916
122. 424 N Effie St	Apr 2005	\$130,000	612	\$212.42	2,500	2	1	1915
123. 246 N St	May 2005	\$143,000	768	\$186.20	6,885	3	1	1968
124. 335 N Clark St	May 2005	\$135,000	1,028	\$131.32	7,500	2	1	1915
125. 2837 E Grant Ave	May 2005	\$120,000	1,144	\$104.90	6,250	3	2	1915
126. 2247 S Nicholas Ave	May 2005	\$152,000	1,516	\$100.26	7,500	5	2	
127. 275 N Diamond St	Jun 2005	\$170,000	879	\$193.40	7,000	3	1	1930
128. 526 N Fresno St	Jun 2005	\$145,000	1,292	\$112.23	4,000	0	0	1920
129. 170 N Effie St	Jun 2005	\$140,000	1,092	\$128.21	4,375	2	1	1920
130. 333 N Diana St	Jun 2005	\$116,000	842	\$137.77	4,125	2	1	1920
131. 260 N Clark St	Jun 2005	\$150,000	1,428	\$105.04	5,000	3	1	1912
132. 2627 E Grant Ave	Jun 2005	\$132,500	1,348	\$98.29	6,250	2	1	1949
133. 2527 E Madison Ave	Jun 2005	\$225,000	2,049	\$109.81	6,250	3	1	1920
134. 2334 S Anna St	Jul 2005	\$30,000	624	\$48.08	7,500	0	0	1920
135. 2319 S Orinda St	Jul 2005	\$149,000	1,092	\$136.45	9,375	0	0	1991

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136. 2222 E White Ave	Jul 2005	\$100,000	828	\$120.77	3,750	2	1	1916
137. 152 N Effie St	Jul 2005	\$65,500	1,250	\$52.40	6,250	2	1	1910
138. 2518 E Madison Ave	Jul 2005	\$145,000	1,364	\$106.30	6,250	2	1	1940
139. 2828 E Grant Ave	Aug 2005	\$178,000	1,119	\$159.07	6,875	3	1	1921
140. 1521 Ventura St	Aug 2005	\$60,000	1,000	\$60.00	2,760	0	0	1947
141. 2014 E White Ave	Aug 2005	\$182,000	1,080	\$168.52	7,500	3	1	1910
142. 236 N Effie St	Sep 2005	\$116,000	860	\$134.88	7,875	2	1	1915
143. 364 N Effie St	Sep 2005	\$154,000	786	\$195.93	4,625	2	1	1910
144. 228 E St	Sep 2005	\$83,000	504	\$164.68	3,750	2	1	1922
145. 2712 E Madison Ave	Sep 2005	\$200,000	1,440	\$138.89	6,250	4	2	1915
146. 2332 S Grace St	Oct 2005	\$35,000	644	\$54.35	6,250	1	1	1925
147. 275 N Diana St	Oct 2005	\$169,000	816	\$207.11	7,500	2	1	1910
148. 2353 S Taylor Ave	Oct 2005	\$145,000	840	\$172.62	7,500	0	0	1910
149. 315 N Thesta St	Oct 2005	\$259,000	1,106	\$234.18	7,500	3	1	1915
150. 245 N Clark St	Dec 2005	\$270,000	2,405	\$112.27	6,750	4	2	1915
151. 2051 E White Ave	Dec 2005	\$236,000	1,752	\$134.70	7,500	3	1	1917
152. 165 N Effie St	Jan 2006	\$108,000	504	\$214.29	7,500	1	1	1910
153. 2260 S Nicholas Ave	Feb 2006	\$35,000	1,171	\$29.89	7,500	4	2	1922
154. 2305 S Grace St	Mar 2006	\$34,000	392	\$86.73	3,125	0	0	1950
155. 2624 E Grant Ave	Mar 2006	\$179,000	878	\$203.87	3,125	2	1	1922
156. 2341 E Grant Ave	Mar 2006	\$200,000	1,852	\$107.99	4,995	2	1	1920
157. 2328 E White Ave	Apr 2006	\$97,500	648	\$150.46	7,500	1	1	1928
158. 2220 E White Ave	Apr 2006	\$100,000	648	\$154.32	2,500	1	1	1916
159. 450 N Howard Ave	Apr 2006	\$141,000	1,179	\$119.59	5,875	2	1	1924
160. 2327 S Grace St	Apr 2006	\$89,000	856	\$103.97	6,250	2	1	1915
161. 346 N Effie St	Apr 2006	\$150,000	1,008	\$148.81	4,625	2	1	1912
162. 350 N St	Apr 2006	\$169,000	1,473	\$114.73	25,925	4	2	1985
163. 1322 N St	May 2006	\$220,000	1,020	\$215.69	5,700	0	0	1910
164. 304 M St	May 2006	\$185,000	1,081	\$171.14	5,550	0	0	1970
165. 458 N Thesta St	May 2006	\$214,000	772	\$277.20	6,750	3	1	1923
166. 2630 E Grant Ave	May 2006	\$175,000	831	\$210.59	3,125	2	1	1922
167. 2815 E Washington Ave	May 2006	\$150,000	839	\$178.78	5,000	2	1	1920
168. 2329 S Grace St	May 2006	\$175,000	1,034	\$169.25	6,250	0	0	1925
169. 242 N Clark St	Jun 2006	\$145,000	924	\$156.93	3,125	2	1	1920
170. 284 N Mariposa St	Jun 2006	\$165,000	939	\$175.72	7,500	3	1	1930
171. 2245 San Joaquin St	Jul 2006	\$160,000	888	\$180.18	5,400	3	2	1900
172. 1843 S Sarah St	Jul 2006	\$185,000	825	\$224.24	6,900	0	0	1919
173. 2635 E Grant Ave	Aug 2006	\$220,000	1,418	\$155.15	6,250	2	1	1949
174. 465 N Howard Ave	Aug 2006	\$225,000	1,408	\$159.80	6,750	2	1	1924
175. 2226 E Thomas Ave	Aug 2006	\$187,000	1,378	\$135.70	7,500	3	1	1925
176. 425 N Valeria St	Aug 2006	\$207,000	1,233	\$167.88	6,250	1	1	1912
177. 153 N Effie St	Aug 2006	\$315,000	3,051	\$103.24	7,500	3	1	1910
178. 2307 S Grace St	Sep 2006	\$100,000	487	\$205.34	3,125	0	0	1950
179. 545 F St	Sep 2006	\$36,000	684	\$52.63	7,500	0	0	1920
180. 271 N Mariposa St	Sep 2006	\$215,000	1,212	\$177.39	9,375	3	1	1924

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181. 2340 S Grace St	Sep 2006	\$75,000	816	\$91.91	12,500	0	0	1930
182. 2232 E Thomas Ave	Oct 2006	\$100,000	598	\$167.22	7,500	1	1	1924
183. 378 N Mariposa St	Oct 2006	\$150,000	929	\$161.46	3,780	2	1	1928
184. 2535 E Mckenzie Ave	Oct 2006	\$75,000	2,426	\$30.92	10,000	4	2	1922
185. 2808 E Washington Ave	Nov 2006	\$165,000	986	\$167.34	7,740	2	1	1936
186. 405 N Clark St	Nov 2006	\$240,000	1,824	\$131.58	7,055	4	2	1915
187. 261 N Diana St	Nov 2006	\$250,000	1,400	\$178.57	7,500	3	1	1935
188. 2224 E Grant Ave	Dec 2006	\$140,000	864	\$162.04	6,250	2	1	1950
189. 1213 N St	Dec 2006	\$475,000	1,707	\$278.27	100,464	3	2	1959
190. 1943 E Mckenzie Ave	Dec 2006	\$196,000	1,494	\$131.19	3,400	3	2	
191. 2144 S Lily Ave	Dec 2006	\$195,000	1,432	\$136.17	4,625	3	2	
192. 550 F St	Mar 2007	\$25,000	732	\$34.15	5,550	0	0	1917
193. 2324 E Grant Ave	Mar 2007	\$231,000	1,620	\$142.59	8,370	5	2	1920
194. 273 N U St	Mar 2007	\$215,000	1,120	\$191.96	5,000	2	1	1915
195. 2130 S Rose Ave	Jul 2007	\$154,000	992	\$155.24	7,500	3	2	1973
196. 365 N Effie St	Jul 2007	\$111,900	1,040	\$107.60	5,250	2	1	1923
197. 135 F St	Jul 2007	\$100,000	612	\$163.40	3,750	2	1	1922
198. 2524 E Grant Ave	Aug 2007	\$85,000	821	\$103.53	3,750	2	1	1922
199. 2522 E Grant Ave	Aug 2007	\$105,000	938	\$111.94	3,750	3	1	1920
200. 1835 S Sarah St	Aug 2007	\$127,000	894	\$142.06	7,500	0	0	1915
201. 2166 S Nicholas Ave	Aug 2007	\$150,000	1,030	\$145.63	10,800	3	1	1919
202. 2382 S East Ave	Aug 2007	\$65,000	1,435	\$45.30	9,375	0	0	1942
203. 2749 E Grant Ave	Sep 2007	\$165,000	936	\$176.28	6,250	2	1	1959
204. 422 N St	Oct 2007	\$180,000	1,707	\$105.45	9,000	3	1	1950
205. 3038 E Ventura St	Oct 2007	\$144,500	1,086	\$133.06	6,850	0	0	1920
206. 360 N St	Oct 2007	\$160,650	1,174	\$136.84	7,500	3	2	1950
207. 309 M St	Oct 2007	\$85,000	834	\$101.92	3,750	0	0	1910
208. 137 N Effie St	Nov 2007	\$90,000	1,056	\$85.23	3,125	3	1	1918
209. 416 N St	Nov 2007	\$173,000	1,440	\$120.14	4,750	3	2	1925
210. 364 N Fresno St	Nov 2007	\$95,500	1,086	\$87.94	4,800	0	0	1918
211. 353 N Clark St	Nov 2007	\$100,000	1,462	\$68.40	6,250	2	1	1923
212. 2624 E Madison Ave	Nov 2007	\$100,100	1,144	\$87.50	4,625	3	1	1925
213. 372 N Clark St	Dec 2007	\$106,250	989	\$107.43	4,625	2	1	1910
214. 2258 S Nicholas Ave	Dec 2007	\$230,000	498	\$461.85	5,625	1	1	1922

**APPENDIX 5A
OFFICE SPACE FOR LEASE - PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS A SPACE									
1.	1901 Fulton St	16,000	16,000		\$1.50	1	A	Modified Gross	Planned Construction; Mixed Use site in Downtown Cultural Arts District; util. and janitor not incl.; .61 acre lot.
2.	2440 Tulare St	24,231	97,400		\$1.75	4	A	Modified Gross	Civic Center Square. Secured parking \$65 per stall. Designer enhanced finishes in common areas; internet access and key-card security system.
3.	2444 Main St	6,352	44,000		\$1.70	2	A	Modified Gross	Civic Center Square. Secure underground parking.
4.	2721 Ventura St	36,268	36,268	1925	\$1.40	2	A	NNN	Current complete renovation and conversion to office bldg.; \$40/sf tenant improvement allowance; 63 parking stalls on site, additional stall avail. on adjacent property.
5.	2414 Tulare St	2,527	10,000		\$1.40		A	NNN	Sublease for office or retail use; ground floor of parking garage 6:1,000sf Parking stalls available above.
6.	2899 Fresno St	88,000	89,585	2009	\$2.15	4	A	NNN	Planned medical office building w/ high speed elev. And state-of-the-art electrical and HVAC systems.
7.	2499 Ventura St	15,788	15,788		\$1.85	4	A	NNN	Proposed new construction; limited surface parking and adjacent parking garage.
CLASS B SPACE									
8.	2125 Merced St	1,603	7,500	1970	\$1.55	1	B+	Modified Gross	Tenant pays utilities; paid parking north of subject bldg.
9.	2125 Kern St	21,203	26,875		\$1.55	3	B+	Modified Gross	Adaptive reuse of the historic Hotel Virginia
10.	2000 Fresno St	6,500	21,060	1975	\$1.25		B+	Modified Gross	Former bank branch adjacent to parking lot, 5 parking spaces on site.
11.	1260 M St	10,540	22,250	1975	\$1.25	2	B	Modified Gross	.52 Acre Lot; located In Enterprise & Empowerment zones, close to Jail and courthouse; utilities and janitor not included; 20 on-site gated parking spaces.
12.	754 P St	3,000	3,000		\$1.25		B	Modified Gross	Building is divisible; permit parking in large city lot behing property
13.	747 R St	90,500	90,500	1931	\$1.25	2	B	Modified Gross	13,800sf basement; landlord willing to fully convert and improve facility into functional, usable office, medical, or retail space.
14.	1350 O St	1,800	19,127		\$1.25	2	B	Modified Gross	Recent interior improvements. "Fresno Professional Plaza."
15.	1260 Fulton Mall	9,675	19,350		\$1.50	2	B	Modified Gross	Renovated in 2007.
16.	1315 Van Ness Ave	6,349	26,961	1975	\$1.45	2	B	Modified Gross	Secured parking one block from site; highly visible signage; close to courthouse.
17.	765 P St	2,750	2,750		\$1.50		B+	Full Service	Renovated historic building. Permit parking available in large city lot behind property.
18.	1221 Van Ness St	21,615	42,310	1967	\$1.40	6	B	Full Service	Bank of the West office building.

**APPENDIX 5A
OFFICE SPACE FOR LEASE - PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
19.	2300 Tulare	3,712	39,069	1960	\$1.40	2	B-	Full Service	Abundant parking, Civic Center Square campus.
20.	1810 Van Ness	5,000	5,000	1968	\$0.85	1	B+	Standard Gross	Real estate taxes, building insurance, ext. maintenance, and gardening included; 21,250 sf lot
21.	2100 Tulare St	20,900	60,000	1916	\$1.10	6	B-	Full Service	City Historic Landmark. Building in need of upgrade; 25 underground parking stalls and 31 extra stalls available at lot 1 block away. Listed for sale at \$5 million.
CLASS C SPACE									
22.	1703 Fulton St	6,000	7,500	1946	\$0.90	1	C	Modified Gross	Adjacent to Tokyo Gardens Restaurant in Downtown Cultural Arts District; Masonry const.; 60 parking stalls
23.	1759 Fulton St	17,286	17,286	1955		1	C	Other	On-Site parking lot; owner will renovate bldg to necessary standards to obtain tenant

**APPENDIX 5B
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS A SPACE									
1.	Woodward Centre 7108 N. Fresno St	3,130	60,000	1992	\$2.35	4	A	FS	Parking ratio is 4 per 1,000.
2.	30 River Park Place West	2,968	70,800	2001	\$2.25	4	A	FS	Includes 3 private offices, large and small conference rooms, copy/supply room, kitchen/break room, open work area and reception area. Top floor of building with
3.	6710 N. West Avenue	4,265	10,450	2001	\$1.65	1	A	MG	Two suites available; parking at 5.7 per 1,000 sf; lot size is 1.02 acres
4.	7191 N. Ingram	11,447	11,447	2005	\$1.60	1	A	MG	Space includes reception area; 4,500 SF of private offices, conference room, breakroom, copy/storage room and four interior restrooms. Located on 1.12 acres; ample parking.
5.	8485 N. Fresno St.	7,600	7,600	2007	\$2.00	1	A	NNN	New commercial bank building.
6.	1865 E. Alluvial	4,896	4,896	2005	\$1.65	1	A	NNN	Building in a 4-building office complex; parking ratio at 4.46; close proximity to 41 and 168 Freeways.
7.	7015 N. Chesnut	20,000	20,000	2007	\$1.65	1	A	NNN	Office complex w/ 9 buildings; easy access to 99, 41 and 168 Freeways, and St. Agnes, Clovis and Fresno Community Hospital.
8.	7121 N. Whitney	10,300	10,300	2008	\$1.60	1	A	NNN	Planned new construction on 0.79-acre lot
9.	Palm Bluffs Corporate Center 7575 N. Palm Ave.	8,161	22,560	2006	\$1.80	2	A	NNN	Generous tenant improvement allowances; on 0.75-acre lot.
10.	7575 N. Cedar Ave.	11,312	11,312	2006	\$1.75	1	A	NNN	Strategically located near both financial and medical districts in northeast Fresno. Landlord to provide finished "cold" shell including utilities to the building, HVAC units mounted in place (no duckwork), finished concrete floor, and fire sprinklers. Parking at 5.06/1,000 SF. On 2.05-acre lot.
11.	5 Park Place	5,411	64,441		\$1.90	2	A	NNN	Suite has 8 private offices, cubicles, ipen work station, 2 conference rooms, reception are, break room, and interior restrooms; adjacent to Freeway 41.
12.	The Tower at the Village at River Park	79,618	114,000	2008	\$2.00	4	A	NNN	Newly constructed w/ state-of-the-art electrical and HVAC energy mangement systems; onsite Concierge service; parking at 4 stalls per 1,000 sf; t.i. allowance at \$40 psf.
13.	8335 N. Fresno St	21,400	41,555		\$1.75	2	A	NNN	State-of-the-art electrical and HVAC energy management systems; high-tech conference facility available.
14.	North Pointe Center 6715 N. Palm Ave.	1,528	41,723	1992	\$1.65	2	A	NNN	Suite includes 7 private offices, large conference rom, break room and work areas; includes 2 secured underground parking stalls. Offered at "discounted rate."
15.	9499 N. Fort Washington Rd Riverview Shopping Center	1,284	7,800	2005	\$1.64	1	A	NNN	Street frontage executive office space; CAM expenses approx \$0.50 psf/month.

**APPENDIX 5B
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
CLASS B SPACE									
16.	4969 E. McKinley Ave	10,379	24,616	1982	\$1.45	2	B	FS	Includes reception area, 8 private offices, storage room, break room and an open work area. On 1.71-acre site.
17.	1320 E. Shaw Ave.	14,658	55,630	1974	\$1.55	1	B	FS	Includes private offices and open work areas; parking ratio at 6.0.
18.	1312 E. Shaw Ave.	2,231	5,040	1974	\$1.60		B	FS	Eight private offices, storage room and interior hallway w/ sink and cabinets to common area restroom. Building for sale at \$932,400 (\$185 psf).
19.	1318 and 1322 E. Shaw Ave.	14,337		1974	\$1.60		B	FS	Six separate suites in 2 buildings in the same complex.
20.	1320 E. Shaw Ave.	11,277		1974	\$1.55		B	FS	Three separate suites for lease.
21.	2517 W. Shaw Ave.	2,168	7,202	1979	\$1.10	1	B	FS	2 suites, both of which include reception areas and private offices; one suite also has a conference room and work area; parking ratio of 4 per 1,000 sf.
22.	Gateway Plaza 1901 Gateway Blvd.	5,902	52,052		\$1.00	1	B	MG	Five separate suites available; furnished conference room with mini-kitchen available for meetings; on-site covered parking; adjacent to Fresno Airport and Core Business District.
23.	7676 N. Palm Ave	10,048	20,000	2003	\$1.86	1	B	MG	Includes 19 private offices, small conference room, large breakroom/conference area, interior restrooms, large bullpen area, storage rooms and 2 reception areas. Located on .72-acre property.
24.	1284 W. Shaw Ave.	1,487	4,300	1976	\$1.65	1	B	MG	Parking ratio at 4 per 1,000 SF; located on 0.33-acre lot.
25.	Winery Yale Center 2212 N. Winery Ave.	5,118	21,168	1983	\$1.10	1	B	MG	Signage available; easy access to Freeways 180 and 168; parking at 4/1,000 SF on 1.69-acre lot.
26.	Herndon West Office Park 6780 N. West St	7,554	9,759	1988	\$1.50	1	B	MG	Parking at 4.2 per 1,000 SF; located on 0.77-acre lot.
27.	550 Alluvial Ave.	7,221	13,760	2006	\$1.85	1	B	MG	Suite is in shell condition; located on 1.26 acre lot.
28.	575 E. Alluvial Ave.	976	17,000	1991	\$1.85	1	B	MG	Includes reception area, 3 private offices, break/storage area, and interior common area restrooms.; located on 1.26 acres.
29.	7075 N. Howard	2,058	5,876	1990	\$1.85	1	B	MG	Close proximity to Kaiser Hospital and Riverpark Shopping Center.
30.	1310 E. Shaw Ave.	5,923	5,923	1974	\$1.55	1	B	NNN	Freestanding building; for sale at \$1.33 million (\$225 psf).

**APPENDIX 5B
OFFICE SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

ID	Address	Space Available	Total Space/GLA	Year Built	Asking Rent	No. of Stories	Building Class	Lease Type	Comments
31.	1314 E. Shaw Ave.	6,021	6,021	1974	\$1.55	1	B	NNN	Freestanding building; for sale at \$1.2 million (\$200 psf).
32.	111 E. Shaw Ave.	1,911	16,719	1982	\$1.21	2	B	NNN	Second floor suite; close proximity to Freeway 41 and Blackstone Ave.
33.	5775 E. Kings Canyon Road	5,406	5,405		\$1.25	1	B	NNN	Freestanding bank branch; near Fancher Creek Development and new Freeway 180 connecting Sunnyside.
34.	1330 E. Shaw Ave., Building B	8,013	8,013	1974	\$1.45	1	B	NNN	Also for sale - asking \$1.72 million (\$215 psf).
35.	1330 E. Shaw Ave., Building C	5,054	5,054	1974	\$1.45	1	B	NNN	Also for sale - asking \$1.01 million (\$200 psf).
36.	Herdon Professional Center 1396 W. Herdon Ave.	3,490	11,526	1992	\$1.65	1	B	NNN	Built-in reception area and break room; copy room w/ cabinets, larger conference room, interior executive restroom and executive-size office; on 1.87-acre lot.
37.	7502 N. Colonial	5,200	5,200		\$1.65	1	B	NNN	

**APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Blt	Lot SF	Comments
FULL SERVICE GROSS								
1.	3883 E. Calwa Ave.	4,500	30,000	\$0.45	FS	1979	93,218	
2.	3206-3240 N. Marks Ave.	5,000	54,858	\$0.45	FS	1978	179,903	
3.	2777 S. Elm Ave.	5,000	5,000	\$0.58	FS	2006		Plenty of parking and paved/secured yard.
4.	5278 N. Cornelia Ave.	8,390	8,390	\$0.50	FS	1993	22,216	Located in the Shaw-Gates Industrial Park.
MODIFIED/INDUSTRIAL GROSS								
5.	1415 N. Maple Ave.	1,750	31,400	\$0.37	IG		76,666	Two units available.
6.	1310 N. Crystal, Suite 201	2,860	15,500	\$0.61	IG	1989	31,000	Fenced parking.
7.	5740 E. Dayton Ave.	5,000	5,000	\$0.60	IG	1993	17,500	Close to Fresno/Yosemite Int'l Airport.
8.	5411 S. Nikita Ave.	5,000	5,000	\$0.55	IG		18,828	Fenced and paved yard. Three Crowns Industrial Park.
9.	5390 S. Nikita Ave.	5,000	5,000	\$0.55	IG		24,067	Fenced and paved yard. Three Crowns Industrial Park.
10.	4199 E. Jefferson Ave.	5,000	5,000	\$0.60	IG		30,928	Fenced and paved yard.
11.	4254 N. Selland Ave.	7,321	9,785	\$0.60	IG	2002	23,958	
12.	3109 N. Miami	7,375	7,375	\$0.55	IG			New construction.
13.	1330 N. Hulbert	7,600	13,500	\$0.43	IG	1986	27,000	Fenced parking.
14.	5404 S. Nikita Ave.	10,000	10,000	\$0.55	IG			Three Crowns Industrial Park
15.	2620 California Ave.	10,950	10,950	\$0.37	IG			Fenced and paved yard.
16.	4317-4343 N. Golden State Blvd.	12,725	80,000	\$0.83	IG			Five suites available. Interstate Business Park.
17.	2310 N. Larkin Ave.	15,000	15,000	\$0.57	IG	2006	52,660	Room for future 10,000 SF expansion.
18.	5364 S. Villa Ave.	20,000	20,000	\$0.39	IG		49,950	Located in the Three Crowns Industrial Park. Fenced and paved yard.
19.	2010 E. Tyler	21,546	21,546	\$0.16	IG		23,000	
20.	2249 S. Cedar	35,508	47,000	\$0.23	IG		174,240	Concrete block construction.
21.	2888 N. Sunnyside Ave.	1,500	16,200	\$0.50	MG			Hodges Business Complex

**APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Blt	Lot SF	Comments
22.	4610-4630 W. Jacquelyn Ave.	2,275	29,664	\$0.85	MG	1988	80,586	Shaw-Gates Business Park
23.	4688 W. Jennifer Ave.	3,500	3,500	\$0.65	MG	1982	8,712	
24.	4593 N. Bendel	3,500	8,000	\$0.50	MG			
25.	4672 W. Jennifer #103-104	3,500	3,500	\$0.65	MG	1982		
26.	4753 W. Jennifer Ave.	3,627	3,627	\$0.60	MG	2006	23,087	
27.	4249 W. Shaw Ave.	3,960	11,950	\$1.15	MG	1974	29,185	
28.	5367 N. Golden State Blvd.	5,000	10,142	\$0.50	MG	1998		
29.	1502, 1514 N. Pine	8,000	8,000	\$0.58	MG	2001	37,897	Two spaces available for sublease.
30.	1401 N. Clovis Ave.	8,680	324,340	\$0.50	MG	1979	97,574	Lamona Business Park; 5 spaces available for sublease.
31.	4741 W Jennifer Ave.	8,958	8,958	\$0.70	MG	2006	23,522	
32.	4393 N. Golden State	24,000	136,000	\$0.50	Mnet		217,800	Unimproved yard/parking area.

TRIPLE NET

33.	66 & 90 E. Escalon Ave.	1,848	60,932	\$0.80	NNN			Near River Park.
34.	5096 N. Blythe Ave.	2,000	20,500	\$1.00	NNN	2005	67,518	Masonry/stucco bldg. w/ abundant parking
35.	5746 E. Shields Ave., #104	3,904	3,904	\$0.55	NNN	1981	11,761	
36.	2788 N. Larkin Ave.	4,800	12,000	\$0.60	NNN			Near Fresno Yosemite Int'l Airport.
37.	5497 E. Olive Ave.	4,800	4,800	\$0.60	NNN	1996	89,734	
38.	2732 S. Fourth St	5,000	5,000	\$0.67	NNN	1985	41,818	
39.	2821 N. Miami Ave.	5,000	10,000	\$0.55	NNN	2007	24,000	Located in the Miami Business Park.
40.	2996 N. Miami Ave.	5,000	10,000	\$0.55	NNN	2007	24,000	
41.	472 S. Teilman Ave.	5,100	5,100	\$0.49	NNN		21,780	Fenced yard area.
42.	4747 W. Jacquelyn	5,200	5,200	\$0.75	NNN			
43.	E. North Ave & S. Orange Ave. Bldg 1	5,552	5,552	\$0.55	NNN	2007	135,036	North Pointe Business Park - bldg 1
44.	3620 S. Bagley Ave.	6,000	6,000	\$0.75	NNN		40,511	

**APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Blt	Lot SF	Comments
45.	4919 E. Dakota	7,400	7,400	\$0.50	NNN	1973	24,829	
46.	4319 N. Brawley	7,936	7,936	\$0.50	NNN	2008	21,780	
47.	4002 N. Ann Ave.	9,955	9,955	\$0.50	NNN	2007	21,780	Near Fresno Air Terminal.
48.	4647 E. Weathermaker	10,000	10,000	\$0.50	NNN	2007	27,980	
49.	2540 S. Sarah	10,000	10,000	\$0.40	NNN	1980	47,480	
50.	4645 N. Bendel Ave.	11,500	11,500	\$0.50	NNN		67,518	Fenced and paved yard.
51.	4379 N. Brawley Ave.	12,133	12,133	\$0.42	NNN		43,560	Operating expenses at \$0.05
52.	3410 W. Ashlan Ave.	12,540	41,340	\$0.75	NNN	1989	115,434	
53.	4539 E. Annadale Ave.	13,672	13,672	\$0.45	NNN	1974	67,082	Metal industrial building; rail access; dock high loading.
54.	5850 E. Shields Ave.	14,000	14,000	\$0.75	NNN	2007	40,000	Located in the Miami Business Park.
55.	4450 N. Brawley Ave.	14,040	65,000	\$0.35	NNN			
56.	2108 E. McKinley	14,300	14,300	\$0.55	NNN	1950	31,363	
57.	313 Fallbrook Ave.	16,120	16,120	\$0.70	NNN	1989	52,272	
58.	E. North Ave & S. Orange Ave. Bldg 15	17,000	17,000	\$0.50	NNN			
59.	4065 W. Shaw Ave.	20,035	42,200	\$0.42	NNN	1978		
60.	3275 E. Central Ave.	20,160	20,160	\$0.25	NNN		136,343	
61.	36 E. South Ave.	21,725	21,725	\$0.55	NNN	1990	131,551	Fenced yard area.
62.	186 N. West Ave	25,860	51,720	\$0.50	NNN	2005		In Roeding Business Park
63.	2634 S. Cherry Ave.	27,661	27,661	\$0.32	NNN	1960	45,302	
64.	2929 E. Dorothy Ave.	31,250	31,250	\$0.57	NNN			
65.	4381 N. Brawley Ave.	32,000	32,000	\$0.40	NNN		304,920	Operating expenses at \$0.06
66.	720 E. North & 2904-2998 S. Angus St.	32,323	265,085	\$0.40	NNN	1989		Three concrete tilt-up bldgs.
67.	E. North Ave & S. Orange Ave. Bldg 20	32,727	32,727	\$0.55	NNN	2008		
68.	E. North Ave & S. Orange Ave. Bldg 22	32,727	32,727	\$0.55	NNN	2008		
69.	E. North Ave & S. Orange Ave. Bldg 15	36,300	36,300	\$0.50	NNN			

**APPENDIX 5C
INDUSTRIAL SPACE FOR LEASE - OUTSIDE OF THE PROJECT AREA
AMENDMENTS TO MERGER NO. 1 REDEVELOPMENT PLANS
FRESNO REDEVELOPMENT AGENCY**

No.	Address	Space Available	Total SF/GLA	Asking Rent	Lease Type	Yr Blt	Lot SF	Comments
70.	2955 S. Orange Ave.	36,731	78,686	\$0.50	NNN	2008		
71.	5940 E. Shields Ave.	40,000	40,000	\$0.50	NNN	2005		NNN expenses at \$0.10; building has common area dock loading.
72.	3722 S. Willow Ave.	46,000	72,000	\$0.31	NNN			

Appendix 6: Estimate of Average Annual Supermarket Sales

Data is for publicly-traded supermarkets serving California.

Kroger Co (Ralphs & Food 4 Less)

Food store sales (w/o fuel)(in millions)	\$57,712
No. of supermarkets	2,468
Estimated sales per supermarket (in millions)	\$23.4

From Kroger Co. Annual 10K; period ending Feb. 3, 2007

New Albertsons Inc. (incl. Albertsons)

Sales (supermarket business of Albertson's)	\$18,139
No. of supermarkets	1,072
Estimated sales per supermarket (in millions)	\$16.9

From New Albertsons Inc. Annual 10K; period ending Feb. 22, 2007
Albertsons acquired by Supervalu in Dec. 2005. Albertsons includes Acme Markets, Bristol Farms, Jewel-Osco, Shaw's Supermarkets, and Star Markets.

Safeway Inc. (Safeway, Vons and Pavilions)

Sales (in millions)	\$40,185
No. of supermarkets	1,761
Estimated sales per supermarket (in millions)	\$22.8

From Safeway Inc. Annual 10K; period ending Dec. 30, 2006

Weighted average annual sales per supermarket \$21.9 million

ATTACHMENT "F"

**APRIL 3, 2010 PUBLIC HEARING NOTICE
FOR MERGER NO. 1
REDEVELOPMENT PLAN AMENDMENTS**

NOTICE OF PUBLIC MEETINGS AND HEARINGS REGARDING:

THE PROPOSED AMENDMENTS TO NINE REDEVELOPMENT PLANS FOR FRESNO MERGER NO.1 AND A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED REDEVELOPMENT PLAN AMENDMENTS

NOTICE IS HEREBY GIVEN PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW AND THE CITY OF FRESNO LOCAL PLANNING AND PROCEDURES ORDINANCE, of the following public meetings and public hearings to consider and act upon the proposed redevelopment plan amendments (the "Plan Amendments to Fresno Merger No. 1" or "Amendments") and related documents. All evidence and testimony concerning the Amendments and the related Subsequent Environmental Impact Report (the SEIR) will be considered by the various entities at the following public meetings and public hearings.

PUBLIC INFORMATION MEETING NO 1 (for southerly portion of Merger No. 1 Project):

DATE: April 6, 2010
TIME: 5:30 pm
PLACE: City Council Chambers
Fresno City Hall, Second Floor
2600 Fresno Street
Fresno, California

PUBLIC INFORMATION MEETING NO 2 (for northerly portion of Merger No. 1 Project):

DATE: April 13, 2010
TIME: 5:30 pm
PLACE: City Council Chambers
Fresno City Hall, Second Floor
2600 Fresno Street
Fresno, California

FRESNO CITY PLANNING COMMISSION PUBLIC HEARING:

DATE: Wednesday, April 21, 2010
TIME: 6:00 P.M.
PLACE: City Council Chambers
Fresno City Hall, Second Floor
2600 Fresno Street
Fresno, California

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION (HCDC) PUBLIC MEETING:

DATE: Wednesday, April 28, 2010
TIME: 5:00 P.M.
PLACE: City Council Chambers
Fresno City Hall, Second Floor

The Merged Fresno Project Area 1 (“Fresno Merger No.1”) was created in 1998 by the merger of ten (10) constituent redevelopment project areas. Nine (9) of the constituent project areas are proposed for amendment, and the year of adoption for each are as follows.

- Central Business District (CBD) (1961)
- Chinatown Expanded (1965/1986)
- Convention Center (1982)
- Fulton (1998)
- Jefferson (1984)
- Mariposa (1969)
- South Van Ness Industrial (1998)
- West Fresno I (1964)
- West Fresno II (1963)

The boundaries of Fresno Merger No. 1, encompassing the constituent project areas, are generally bounded by Divisadero Street and the 180 Freeway to the north, the 41 Freeway, East Street and the BNSF Railway right-of-way to the east, and Highway 99 to the west/southwest (see Attachment A - Map). Fresno Merger No. 1 includes the majority of the City’s core or “Central Area” as defined in the *Central Area Community Plan* adopted in 1989. One of the constituent plans, the South Van Ness Industrial Area, is located within the boundaries of the *Roosevelt Community Plan*, which was adopted in 1992.

On July 29, 2008, the City Council and the Fresno Redevelopment Agency (“Agency”) initiated the process for consideration of adopting the proposed Amendments to the nine Redevelopment Plans in the Fresno Merger No. 1. Although merged, the nine constituent project areas retain separate redevelopment plans, including separate time and financial limits. The proposed Amendments include: 1) increasing the tax increment limits for the CBD, Chinatown Expanded, Convention Center, Jefferson, Mariposa, West Fresno I and West Fresno II constituent Plans, 2) increasing the time limit on plan effectiveness for all of the constituent Plans except Fulton and South Van Ness Industrial; 3) increasing the time limit to incur indebtedness for the Fulton and South Van Ness Industrial constituent Plans; 4) increasing the time limits to receive tax increment and repay bonded indebtedness for all of the constituent Plans except Fulton and South Van Ness Industrial; 5) increasing the time limit on the Agency’s authority to utilize eminent domain in all of the constituent Plans and adding specified properties in the Chinatown Expanded area, and 6) streamlining the Amendments by amending the language of each Plan, except for Chinatown Expanded and Convention Center constituent Plans, which have previously been amended, to ensure that the land use plan is consistent with the General Plan and any applicable specific or community plans, as those plans may be amended from time to time, for the CBD, Jefferson, Mariposa, West Fresno I, West Fresno II, Fulton, and South Van Ness Industrial areas.

Two Public Information Meetings on the Amendments were held on September 30, 2008, at the Fresno Betsuin Buddhist Temple and on October 6, 2008, at the Yokami Elementary School. Two additional Public Information Meetings have been scheduled on April 6, 2010 and April 13, 2010 at locations as shown above.

The purpose of public hearings is to provide an opportunity for any and all interested persons or public or private agencies to be heard or present any oral or written testimony or evidence for or against any matter in connection with or affecting the proposed Amendments. Persons may present any objections to the content or adequacy of the Amendments and the Subsequent Environmental Impact Report for the proposed Amendments, or to the regularity of any of the prior proceedings, or why the proposed Amendments and Subsequent EIR should not be recommended for adoption as set forth above.

All interested persons are encouraged to attend and participate in the public information meetings and the public hearing and public meeting. At any time not later than the hour set forth above for the public hearing of the Fresno City Planning Commission, and the public meeting of the Housing and Community Development Commission, any person may file in writing with the City Clerk of the City of Fresno, 2nd floor in Fresno City Hall, at 2600 Fresno Street, Fresno, California 93721, a statement for or against the proposed Amendments and the SEIR. Any person desiring to be heard will be afforded such an opportunity at said day, time and place. Interested persons may obtain more information by contacting David Martin, Project Manager, at (559) 621-7630, in the Redevelopment Agency of the City of Fresno, located at 2344 Tulare Street, Suite 200, Fresno, California 93721, between the hours of 8 a.m. and 5 p.m., Monday through Friday, except holidays.

Interested persons may inspect and, upon payment of costs for reproduction, may obtain copies of the proposed Amendments, and the SEIR, and other information pertaining thereto at the offices of either the City Clerk or the Redevelopment Agency at the above noted addresses. Copies of documents are also available for review at the Fresno County Main Library, Reference Desk, at 2420 Mariposa Street, in the downtown area of Fresno, California.

Servicio de interpretación en español estará disponible. Su participación es muy importante. Para más información, favor de llamar al 621-CITY (2489).

Note: If you challenge the proposed Amendments and/or SEIR in court, you may be limited to raising only those issues you or someone else raised at the public meeting and hearing described in this notice or in written correspondence delivered to the Housing and Community Development Commission, the Planning Commission, or the Redevelopment Agency, or City Council at, or before, the public meeting and hearing described in this notice.

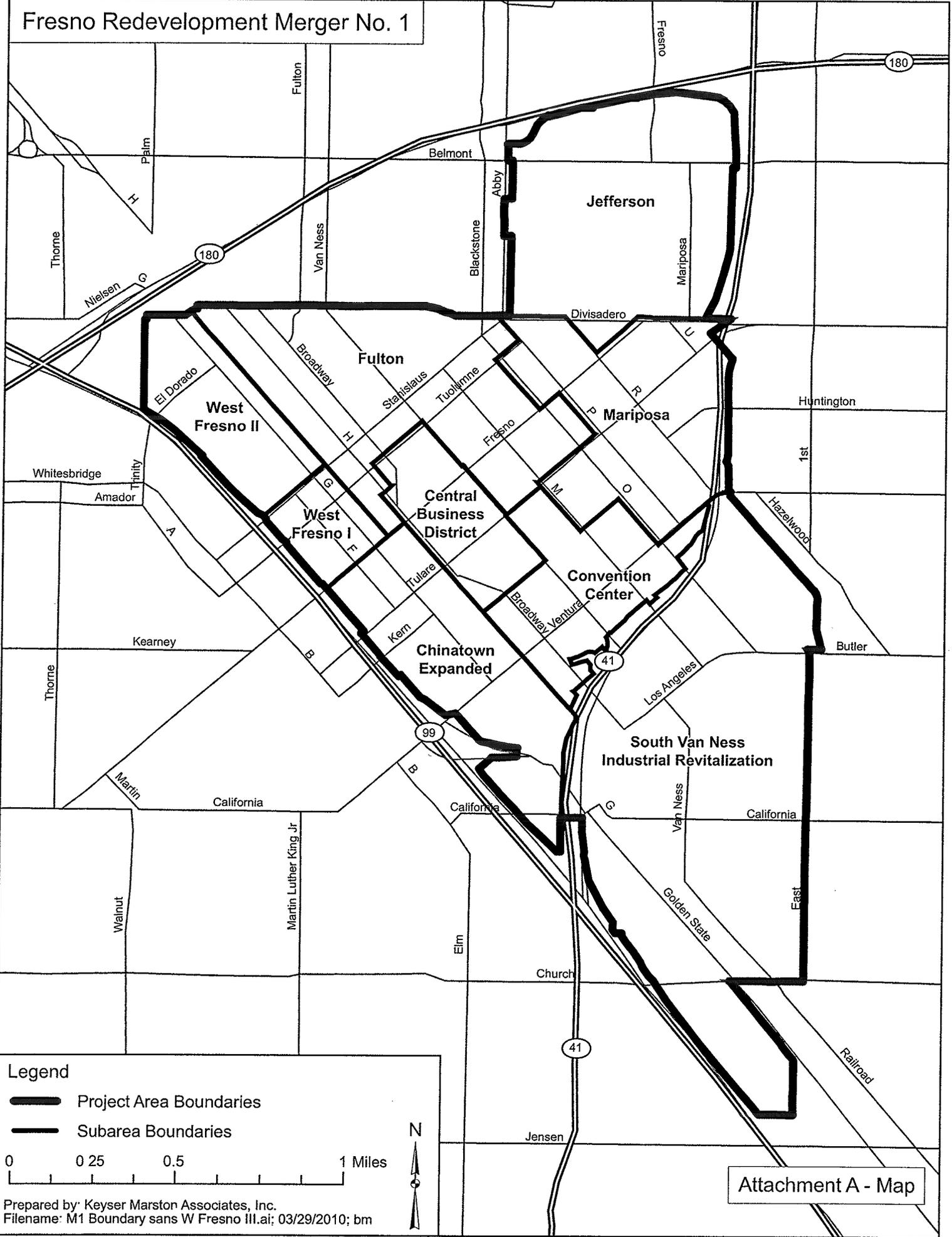
BY ORDER OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF FRESNO.

Dated

MARLENE MURPHEY
Executive Director

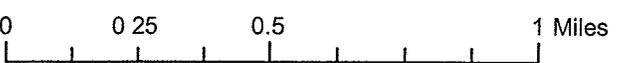
Publication Date. April 3, 2010

Fresno Redevelopment Merger No. 1



Legend

- Project Area Boundaries**
- Subarea Boundaries**



Attachment A - Map

ATTACHMENT "G"

SEPTEMBER 24, 2008, AND OCTOBER 31, 2008

LETTERS FROM FRESNO COUNTY CAO

APRIL 2, 2010, AGENCY RESPONSE LETTER TO

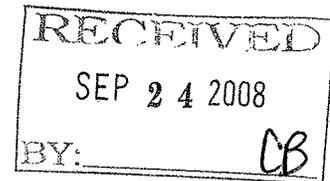
FRESNO COUNTY CAO



County of Fresno

Administrative Office
John Navarrette
Interim County Administrative Officer

September 18, 2008



Marlene Murphey, Executive Director
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, California 93721

Dear Ms. Murphey:

RE. Proposed Amendments to 10 Redevelopment Plans in the Merger No. 1 area.

This letter acknowledges the County of Fresno's receipt of the Redevelopment Agency of the City of Fresno's ("Agency") Preliminary Report, dated July 21, 2008 ("Report"), for the proposed amendments (collectively, the "Amendments") to 10 Redevelopment Plans in the Merger No. 1 area. We also acknowledge your invitation to consult with County representatives on the proposed Amendments, pursuant to Section 33333.11(c) of the Community Redevelopment Law ("CRL")

The Report states that the Merger No. 1 area includes 10 redevelopment project areas, generally described as: Central Business District; Chinatown Original; Chinatown Expanded; Convention Center; Fulton; Jefferson; Mariposa; South Van Ness Industrial; West Fresno I; West Fresno II; and West Fresno III.

The County welcomes the opportunity to participate in the Agency's consultation process.

We understand that 6 of the 10 affected project areas date back to the 1960's. We also understand that the Agency staff believes that the Agency still needs more time to conduct redevelopment activities in the Merger No. 1 area.

Under the proposed Amendments, property tax revenues from the Merger No. 1 area would continue to be used by the Agency, when they otherwise could be used to address the broader needs of the residents within the unincorporated areas and incorporated areas of Fresno County, including the City of Fresno. Therefore, County staff take great interest in the Agency's proposal.

In order to have a meaningful and productive consultation process, we request some background information, below, that is necessary for County representatives to have prior to our initial consultation meeting. Also, to assist you in being prepared for the consultation process, we identify some initial questions and comments that we have regarding your Agency's proposal so that we can understand the effect of the proposed Amendments upon the County

Regarding the requested background information, we ask that you please provide a copy of the following ahead of the initial consultation:

1. The adopted Agency redevelopment plans and City ordinances for each of the affected project areas within the Merger No. 1 area, including all adopted amendments to such Agency plans and City ordinances, respectively. Unfortunately, because so much time has passed since the Agency merged the affected plans in 1998, County staff does not have any of these documents in our files, assuming that they were provided to the County at that time. While we recognize that we are asking for several documents, I hope that you understand that, for us to search for any of them in other public records would be extremely difficult and time consuming, and may not yield all of the necessary documents. PDF version of these documents sent via e-mail would be fine.
2. Annual reports (or if on a more frequent basis, that would be fine) of the Agency since the effective date of the Merger No. 1 that document the amount tax-increment from the Merger No. 1 area expended by the Agency in eliminating perceived blighted conditions in the Merger No. 1 area, and providing for the Agency's housing set-aside requirements.
3. The Agency's official schedule (even marked as "draft," and even including tasks that may be haven on that schedule) for adopting the proposed Amendments. We had asked for it earlier, and received only a brief statement of five dates. We would like to have the entire schedule.

We have the following initial questions or comments regarding the Report that we would like to discuss at our upcoming initial consultation meeting. As with any consultation, a good discussion leads to other questions and comments. Therefore, this list is not exhaustive of our comments or concerns. They are as follows:

1. Based on our review of Figure 1 at pages 1 and 2 of the Report, we would like to first confirm that the Agency seeks to extend certain limitations for some redevelopment plans within in the Merger No. 1 area, as reflected by the actual Agency plans and ordinances, as applicable. We hope that by receiving the above requested documents, we can ascertain such information ahead of the initial consultation, with the hope that this can be resolved in advance.
2. We would like to understand how the Agency is applying the legal authority for proceeding with some of the proposed Amendments. The Report refers to Section 33333.11 of the CRL, which only covers 10-year extensions for the effective date of Pre-AB 1290 plans, and for the payment of indebtedness for Pre-AB 1290 plans. The Report also refers to other extensions that are not covered by Section 33333.11, and cites CLR section 33354.6 (Report, footnote 1 to p. 1, and pp. 19 – 20). These code sections have some different standards for compliance. Is the Agency saying in the Report that it is complying with both of these code sections? We also note that neither of the foregoing sections include the extension for the time limit to receive tax increment, and would like to know the authority for that proposed action.
3. If one adds up all of the amounts in the tax increment limitations in Table 34 on Page 99 of the Report, the amount is \$453 million. It appears that the Agency is proposing to increase the Merger No. 1 tax increment limitation, collectively, to an unprecedented \$1.38 billion, which is an increase of \$927 million, or three times the current collective tax increment limitation. However, Table 34 shows the allocated amounts (which we understand to be amounts that the Agency actually received as tax increment from the Merger No. 1 area) as

of June 30, 2007 to be a total of only \$71.5 million, or only a little over 15% of the Merger No. 1 collective current tax increment limitation. How does the Agency justify that substantial increase, when the actual results so far show that the amounts of tax increment that has been collected by the Agency fall far short of the current limitations? As stated above, this observation is made on an aggregate basis for Merger No. 1 area. But, even looking at the individual affected project areas, the differences can be quite significant. For example, Table 34 states that tax increment limitation for the Central Business District is \$16 million. While that affected plan received only about \$7.66 million, the Agency proposes that its tax increment limitation should be increased to \$128 million, or eight times the current amount.

4. How can the Agency reasonably rely on the stated 9% assumed increase in real property values for the affected plan areas (Report, p. 98) to determine proposed increases to the tax increment limits, while instead using the stated 4% assumptions (which is less than half of that) to estimate tax increment revenue projections (Report, p. 96). How did the Agency develop these two assumptions? How do these amounts compare to the Agency's forecasts (both in the City and the Merger No. 1 area) of growth in property values at various future intervals – e.g., in the next year, the next three years, and the next five years?
5. The Agency's Feasibility Cash Flow (Report, pp. 100-102, Table 36) shows total estimated gross tax increment revenue of about \$511 million. What are the assumptions producing that projected amount, how did the Agency develop those assumptions, and where is that stated in the Report? Also, it seems as though Table 36 indicates an assumed rate of increase in taxes at about 5.37%. Why is that different than the percentages assumed in the item 4, immediately above?
6. Specifically, how much tax increment will the County receive from these proposed Amendments for each of the years in question? The Agency's schedule shows "Triggered Statutory Sharing" collectively, but does not identify individual taxing agencies' shares of the tax increment (Tables 37-47). Without that information, the County cannot verify the financial effect of the proposed Amendment upon the County.
7. Specifically, how much of the tax increment has the Agency collected, in each of the plan areas with Merger No. 1, that has not yet been expended on any projects? (if there is a material difference between tax increment that is obligated to be paid, but, not yet actually paid, we may want to know that).
8. The Report states that the Agency could receive about \$508 million (or \$511 million) over the remainder of the life of the Merger No. 1 area. (Report, p. 95, Tables 36, 37). How does that compare with the Agency's proposal to increase the tax increment limits by nearly twice that amount of about 927 million in item 3, above?
9. What were the specific amounts of the Agency's financial contribution of tax increment to each of the projects listed or referred to on Report Page 7, Table 2, and on Page 8? Judging from the narrative, it does not seem that the "Value of Agency-Assisted Projects" identified on that Table 2 is the actual amount of Agency's financial contribution of tax increment to each of the projects. If those are not that amounts, where are those amounts stated (whether in the Report or other Agency records)?

10. Does the Agency have any specific projects, or specifically planned projects, intended to eliminate perceived blight from the Merger No. 1 area? Section VI –A of the Report is so generalized that the descriptions of projects do not give the County any real appreciation how, when, or where the Agency will spend tax increment in the Project Merger No. 1 area. Applying the CRL sections 33333.11 and 33354.6, referred to in the Report, the CLR requires the Agency to provide a description of the projects (section 33333.11 also says programs) proposed to eliminate the perceived remaining blight. That implies a reasonable degree of specificity that projects are actually being planned within the proposed new time limitation for the affected project areas so that taxing agencies and taxpayers are assured that the extension of the limitations are justified.
11. We observe that Section V of the Report (pages 81-83) narrowly identifies parcels that are no longer blighted as 19 properties which the Agency has financed, and states that the remainder of the Merger No. 1 either is blighted or contains several non-blighted city blocks in the core of the city are necessary and essential for redevelopment.

First, we are concerned that the Agency is characterizing significant areas with the Merger No. 1 area as blighted, when they are not – e.g., West Fresno I, West Fresno II, and West Fresno III (contain several thriving facilities and businesses such as the Fresno Bee, Nabisco, and Channel 30 facilities), and major portions of Fulton and Central Business District (the Van Ness Avenue corridor, the Fresno Metropolitan Museum and the Club One facilities) and surrounding buildings.

Second, we assume that the Agency is relying on CRL section 33333.11 to include the foregoing non-blighted parcels in the proposed Amendments. That section states, in part: “(c)(3) ‘Necessary and essential parcels’ means parcels that are not blighted but are so necessary and essential to the elimination of the blight that these parcels should be included within the portion of the project area in which tax increment funds may be spent. ‘Necessary and essential parcels’ are (A) parcels that are adjacent to one or more blighted parcels that are to be assembled in order to create a parcel of adequate size given present standards and market conditions, and (B) parcels that are adjacent or near parcels that are blighted on which it is necessary to construct a public improvement to eliminate the blight.” [emphasis added]. However, we are concerned with the Agency’s characterization of such parcels, as it seems as though the Agency wishes to amass several city blocks of developed parcels designated as “necessary and essential parcels” (e.g., the high concentration of thriving new and relatively new facilities, such as the Convention Center and its new Exhibit Hall, and the Radisson Hotel) that are not adjacent to, or even near, parcels claimed to be blighted. Nor does the Agency identify any of the other perceived blighted parcels that are claimed to be inadequate in size, or that are claimed to require public improvement.

12. The Report indentifies limitations on Merger No. 1 area on a project-by-project basis. However, the Report studies perceived conditions the Merger No. 1 area on a generalized basis, rather than on the basis of each individual project area composing Merger No. 1 area. We would like to know the Agency’s justification for not studying Merger No. 1 area on a project-by-project basis.
13. The Report states that there is a high crime rate in the Merger No. 1 area. We would like to review with you whether the data obtained from the Fresno Police Department that the Agency used to reach that conclusion matches the geographic area of the Merger No. 1 area.

Marlene Murphey, Executive Director
Redevelopment Agency of the City of Fresno
RE: Proposed Amendments to 10 Redevelopment Plans in the Merger No. 1 area.
September 18, 2008
Page 5

14. The Report refers to homeless encampments (Report, p. 15). However, the Report does not indicate what the Agency proposes in order to respond to that condition.
15. We would like to discuss with you the Agency's identification of perceived blighted conditions within Merger No. 1 area in relation to the legal standard for blight. For example, based on County staff's recent tour of the Merger No. 1 area, some of the buildings that are listed in the Report as deteriorated and dilapidated buildings do not appear to qualify as blighted property. Examples will be provided at the initial consultation.
16. The Report refers to code complaints (Page 27), but, does not discuss whether any of them were resolved. We understand that the City of Fresno has a very aggressive code enforcement program. What is the status of the deficiencies identified through the City of Fresno's code enforcement process in the Merger No. 1 area?
17. We understand that the City of Fresno has a very successful Graffiti Clean up program. How has this program impacted the Merger No. 1 area?

We trust that the requested documents will be forthcoming. In the meantime, we will schedule a meeting with your staff to start the consultation process.

Because of the size, complexity, and lengthy of the project areas, it is likely that more than one consultation meeting will be needed. Therefore, we ask that you please take this into consideration.

Please contact me if you have any questions.

Sincerely,



Jose Leon-Barraza
Economic Development Coordinator

c: John Navarrette, Interim County Administrative Officer
Brian Lee Melikian, Principal Deputy County Counsel
David Martin, Agency Project Manager



Fresno County Regional Enterprise Zone



County Administrative Office
Jose Leon-Barraza
Enterprise Zone Manager

October 31, 2008

VIA FAX # (559) 498-1870. HARD COPY TO FOLLOW

David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, California 93721

Re: Proposed Amendments to 10 Redevelopment Plans in the Merger No. 1 area.

Dear Mr Martin:

This letter supplements the County's initial questions and comments in its letter to Marlene Murphy, dated September 18, 2008, and the subsequent meeting and telephone conversation that I recently had with Jerry Freeman and you.

The County appreciates the opportunity to continue to participate in the consultation process of the Redevelopment Agency of the City of Fresno ("Agency") concerning its proposed amendments to the 10 Redevelopment Plans for the Merger No. 1 area (collectively, "Amendments").

First of all, thank you for providing some of the documents requested relating to the previously adopted City of Fresno ordinances for each of the affected project areas within the Merger No. 1 area. Based on our preliminary review of those documents, we have comments and requests concerning those documents, for your consideration, as set forth in Exhibit A, attached to this letter

We also are pleased to learn from you in our recent telephone conversation that Agency staff is planning to reexamine the proposed Amendments for the Merger No. 1 area, its proposed preliminary report, and CEQA documents as a result of some of the comments provided by the County during our initial consultation process. In light of that reexamination, we understand from you that the Agency will add two additional months to its adoption schedule for the proposed Amendments to address these items, and that the originally schedule date for such actions by the Agency's Board of Directors and the Fresno City Council, both on December 3, 2008, has been taken off calendar

We appreciate your telling us that the Agency is willing to consider reductions to the Agency's proposed tax increment limits, as applicable, for the Merger No. 1 area to more accurately reflect the needs of that project, as we had discussed in our meeting.

We look forward to receiving the requested documents, updated proposed preliminary report and CEQA documents, and the new official schedule for the Agency's and City of Fresno's actions in connection with the proposed Amendments.

Once we receive the foregoing documents, I anticipate that we will very likely need at least another meeting with you to further review the updated information, as part of the Agency's consultation process. We also need to cover issues that could not yet be addressed in the County's first letter to the Agency, above, because they were pending subject to the Agency's reexamination of this matter

David Martin, Project Manager

Redevelopment Agency of the City of Fresno

Re: Proposed Amendments to 10 Redevelopment Plans in the Merger No. 1 area.

October 31, 2008

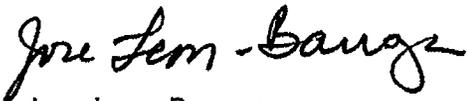
Page 2

Therefore, I ask that you please take that into account as you prepare your new official schedule for the proposed Amendments.

Please contact us as soon as you are ready to again meet with us. We would like to have the requested and updated documents in advance of that meeting so that we can have a meaningful and productive consultation.

We sincerely appreciate your cooperation on this matter

Sincerely,



Jose Leon-Barraza

Fresno County Economic Development Coordinator

JLB:nll

C: John Navarrette, Interim County Administrative Officer
Brian Lee Melikian, Principal Deputy County Counsel
Marlene Murphy, Agency Executive Director
Jerry Freeman, Agency Project Manager

Exhibit A

County's Request for Follow Up Concerning Agency Documents

Central Business District:

- Issue: County cannot verify the preliminary report's stated tax increment ("TI") limit of \$16 million for this project.
- Request: Please provide County with a copy of Agency's adopted ordinance and redevelopment plan, including ordinance and plan amendments, if any, verifying the foregoing.

Chinatown (Original and Expanded projects):

- Issue: Preliminary report states that this project's bond debt limit is "N/A" for the Original project area, and \$16 million for the Expanded project area. However, Ordinance No. 98-45 states that such amount is \$12 million, apparently for these areas on a combined basis.
- Request: Please clarify or correct the foregoing in the preliminary report.

Jefferson:

- Issue: County cannot verify the preliminary report's stated date of 12/18/2037 for the time limit to receive TI and repay debt (Although Ordinance No. 2008-9 refers to a 3-year extension, County cannot determine how that amendment amended the prior date for such deadline).
- Request: Please provide County with a copy of Agency's adopted ordinance and redevelopment plan, including ordinance and plan amendments, if any, verifying the foregoing.
- Issue: County cannot verify what was amended in the 1998 plan amendment (attached to Ordinance No. 98-47) at section X, page 4 thereof.
- Request: Please provide County with the then-current plan that was amended by the foregoing 1998 plan amendment.

Mariposa:

Issue: Ordinance No. 98-48 is incomplete; only the even pages to the ordinance, and odd pages to the attached plan amendment were included.

Request: Please provide the complete copy of the foregoing ordinance and plan amendment.

West Fresno III:

Issue: County cannot verify the preliminary report's stated TI limit of \$8 million for this project.

Request: Please provide County with a copy of Agency's adopted ordinance and redevelopment plan, including ordinance and plan amendments, if any, verifying the foregoing.

Issue: The preliminary report's stated date of 1/15/2019 for the time limit to receive TI and repay debt instead should be 1/14/2019, per Ordinance No. 98-51.

Request: Please correct the foregoing.

-END-

Redevelopment Agency of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

April 2, 2010

Alan Weaver, Director
County Department Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Dear Mr. Weaver,

In preparation for our meeting scheduled for April 19, 2010 at 1:30 pm, please see the attached.

We look forward to meeting with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marlene Murphy', written in a cursive style.

Marlene Murphy
Executive Director

Responses to County Comments

1. The adopted Agency redevelopment plans and City ordinances for each of the affected project areas within the Merger No. 1 area, including all adopted amendments to such Agency plans and City ordinances, respectively. Unfortunately, because so much time has passed since the Agency merged the affected plans in 1998, County staff does not have any of these documents in our files, assuming that they were provided to the County at that time. While we recognize that we are asking for several documents, I hope that you understand that, for us to search for any of them in other public records would be extremely difficult and time consuming, and may not yield all of the necessary documents. PDF version of these documents sent via e-mail would be fine.

RDA staff hand-delivered hard copies of each redevelopment plan within Merger 1 including ordinances and amendments to Mr Barazza in August 2008. Staff also mailed a CD with the requested documents scanned onto it. Attached is an additional copy of the CD containing this information.

2. Annual reports (or if on a more frequent basis, that would be fine) of the Agency since the effective date of the Merger No. 1 that document the amount tax-increment from the Merger No. 1 area expended by the Agency in eliminating perceived blighted conditions in the Merger No. 1 area, and providing for the Agency's housing set-aside requirements.

Attached is CD disc containing the Financial Expenditures and the HCD Housing Report from the Redevelopment Agency Annual Reports for FY 1998-99 and each subsequent Fiscal Year

3. The Agency's official schedule (even marked as "draft," and even including tasks that may be haven on that schedule) for adopting the proposed Amendments. We had asked for it earlier, and received only a brief statement of the dates. We would like to have the entire schedule.

Attached is a public notice for two Public Information Meetings (April 6 and April 13, 2010), Planning Commission Hearing on April 21, 2010, and the Housing and Community Development Commission Meeting on April 28, 2010. Attached is a revised Draft Schedule. The proposed date for the Joint Public Hearing of the City Council and Redevelopment Agency is June 24, 2010. Once a specified date is set for the Joint Public Hearing is set, this information will be provided.

1. Based on our review of Figure 1 at pages 1 and 2 of the Report, we would like to first confirm that the Agency seeks to extend certain limitations for some redevelopment plans within in the Merger No. 1 area, as reflected by the actual Agency plans and ordinances, as applicable. We hope that by receiving the above requested documents, we can ascertain such information ahead of the initial consultation, with the hope that this can be resolved in advance.

See above response to Question 1

2. We would like to understand how the Agency is applying the legal authority for proceeding with some of the proposed Amendments. The Report refers to Section 33333.11 of the CRL, which only covers 10-year extensions for the effective date of Pre-AB 1290 plans, and for the payment of indebtedness for Pre-AB 1290 plans. The Report also refers to other extensions that are not covered by Section 33333.11, and cites CLR section 33354.6 (Report, footnote 1 to p. 1, and pp. 19 – 20). These code sections have some different standards for compliance. Is the Agency saying in the Report that it is complying with both of these code sections? We also note that neither of the foregoing sections include the extension for the time limit to receive tax increment, and would like to know the authority for that proposed action.

Increase tax increment limits for CBD, Chinatown Expanded, Convention Center, Jefferson, Mariposa, WFI and WFII. The authority to increase the tax increment limits within redevelopment plans is discussed in Article 12 of the CRL, beginning with Section 33450. Section 33451.5 states that the section of the CRL applies to plan amendments that “... change the limitation on the number of dollars of taxes which may be divided and allocated to the redevelopment agency”

Increase time limit of plan effectiveness for all redevelopment plans except Fulton and South Van Ness Industrial (all of the redevelopment plans adopted before December 31, 1993). The authority to increase the time limit on the effectiveness of redevelopment plans adopted on or before December 31, 1993 is described in CRL Section 33333.10. Section 33333.10(a)(1) states “... an agency that adopted a redevelopment plan on or before December 31, 1993, may, pursuant to this section, amend that plan to extend the time limit on effectiveness of the plan for up to 10 additional years beyond this limit allowed by subdivision (a) of Section 33333.6.”

Increase time limit to incur debt for Fulton and South Van Ness Industrial. The authority to increase the time limit to incur indebtedness within redevelopment plans is discussed in Article 12 of the CRL, beginning with Section 33450. Section 33451.5 states that the section of the CRL applies to plan amendments that “... change the time limit on the establishing of loans, advances, and indebtedness to be paid with the proceeds of property taxes received pursuant to Section 33670.”

Increase time limit to receive TI and repay bonded indebtedness for all redevelopment plans except Fulton and SVN Industrial (all of the redevelopment plans adopted before December 31, 1993). The authority to increase the time limit to receive tax increment and repay indebtedness is discussed in CRL Section 33333.10. Section 33333.10(a)(2) states that “... the agency may, pursuant to this section, amend that plan to extend the time limit on the payment of indebtedness and receipt of property taxes to be not more than 10 years from the termination of the effectiveness of the redevelopment plan as that time limit has been amended pursuant to paragraph (1).”

Increase time limit /re-establish authority to use eminent domain in all plans, with limitations on six of the plans. The authority to increase the time limit for commencement of eminent domain proceedings is described in Section 33333.2(a)(4), which states that “this time limitation may be extended only by amendment of the redevelopment plan after the agency finds, based on substantial evidence, both of the following:

- (A) That significant blight remains within the project area.
- (B) That this blight cannot be eliminated without the use of eminent domain.”

Amending land use language in the redevelopment plans to “streamline” and make the language consistent with the General Plans and respective Community Plans for CBD, Jefferson, Mariposa, WFI, WFII and WFIII, Fulton and SVN Industrial. The authority to make changes to redevelopment plans related to land use provisions are contained in Section 33450, which states “if at any time after the adoption of a redevelopment plan for a project area by the legislative body, it becomes necessary or desirable to amend or modify such plan, the legislative body may by ordinance amend such plan upon the recommendation of the agency ”

Due to the varying nature of the types of amendments, in general the Agency has followed the most “stringent” requirements as applicable. Therefore, in general the requirements of Section 33333.10 have been used to complete the blight analysis and prepare the preliminary report even though the requirements contained therein may not be applicable to the amendments that will be made to any specific redevelopment plan. Where requirements of other CRL sections are applicable, those requirements have been followed.

3. If one adds up all of the amounts in the tax increment limitations in Table 34 on Page 99 of the Report, the amount is \$453 million. It appears that the Agency is proposing to increase the Merger No. 1 tax increment limitation, collectively, to an unprecedented \$1.38 billion, which is an increase of \$927 million, or three times the current collective tax increment limitation. However, Table 34 shows the allocated amounts (which we understand to be amounts that the Agency actually received as tax increment from the Merger No. 1 area) as of June 30, 2007 to be a total of only \$71.5 million, or only a little over 15% of the Merger No. 1 collective current tax increment limitation. How does the Agency justify that substantial increase, when the actual results so far show that the amounts of tax increment that has been collected by the Agency fall far short of the current limitations? As stated above, this observation is made on an aggregate basis for Merger No. 1 area. But, even looking at the individual affected project areas, the differences can be quite significant. For example, Table 34 states that tax increment limitation for the Central Business District is \$16 million. While that affected plan received only about \$7.66 million, the Agency proposes that its tax increment limitation should be increased to \$128 million, or eight times the current amount.

At the time of the 2008 study, assessed value growth in Merger 1 and Merger 2 increased an average of 9%. KMA’s approach at the time was to determine what the respective TI Caps would have to be if reported values continued to increase at a maximum rate of 9% per year (including growth in the extra 10-year period of an SB 211 extension).

KMA then applied a whole number factor (see chart below) against each existing TI Cap so as to insure that a new TI Cap was sufficiently large enough to permit the Agency to receive projected tax increment revenues to the full term allowed under law. The intent was to establish a new TI Cap sufficiently large to accommodate all possible growth scenarios in the respective project areas.

	<u>Existing</u> <u>T.I. Limit</u>	<u>KMA</u> <u>Factor</u>	<u>Assumed New</u> <u>T.I. Limit</u>
<u>Merger 1.</u>			

Central Business District	\$16,000,000	x 8	\$128,000,000
Chinatown West Fresno	32,000,000	x 4	128,000,000
Convention Center	51,000,000	x 7	357,000,000
Jefferson	235,000,000	x 2	470,000,000
Mariposa	50,000,000	x 3	150,000,000
West Fresno I	9,000,000	x 3	27,000,000
West Fresno II	60,000,000	x 2	120,000,000
Merger 2:			
Fruit Church	\$21,000,000	x 3	\$63,000,000
Southwest Fresno	113,000,000	x 3	339,000,000

4. How can the Agency reasonably rely on the stated 9% assumed increase in real property values for the affected plan areas (Report, p. 96) to determine proposed increases to the tax increment limits, while instead using the stated 4% assumptions (which is less than half of that) to estimate tax increment revenue projections (Report, p. 96). How did the Agency develop these two assumptions? How do these amounts compare to the Agency's forecasts (both in the City and the Merger No. 1 area) of growth in property values at various future intervals – e.g., in the next year, the next three years, and the next five years?

The TI Cap was intentionally established based on the higher 9% growth factor to merely establish an outside revenue cap as discussed above. But for purposes of the feasibility cash flow, a moderate 4% growth factor was applied to the Secured valuation forecast, and a 2% growth factor to the Unsecured valuation forecast to represent one scenario of feasibility (in this case, a moderate revenue growth scenario).

5. The Agency's Feasibility Cash Flow (Report, pp. 100-102, Table 36) shows total estimated gross tax increment revenue of about \$511 million. What are the assumptions producing that projected amount, how did the Agency develop those assumptions, and where is that stated in the Report? Also, it seems as though Table 36 indicates an assumed rate of increase in taxes at about 5.37%. Why is that different than the percentages assumed in the item 4, immediately above?

The following assumptions were incorporated: Secured value (FY 2007-08) increased at 4% per year (reflects Prop 13 and a 2% moderate growth factor for new construction and ownership changes) and Unsecured value (FY 2007-08) increased at 2% per year (to reflect a moderate growth for fixture/personal property replacement or new activities). These assumptions are mentioned under the "Tax Increment Revenues" discussion of "Section C Financing Methods Available to the Agency" The gross tax increment revenues are derived from the assumed 4% and 2% valuation factors, but the resulting 5.37% average increase noted in the question is a factor that reflects increasing annual assessed values over a frozen base value.

6. Specifically, how much tax increment will the County receive from these proposed Amendments for each of the years in question? The Agency's schedule shows "Triggered Statutory Sharing" collectively, but does not identify individual taxing agencies' shares of the tax increment (Tables 37-47). Without that information, the County cannot verify the financial effect of the proposed Amendment upon the County.

See Attachment B, a spreadsheet has been prepared for each year showing proposed pass-through payments to the County at the 4% rate. Also included in the spreadsheet is the same County pass-through information, but based upon a 9% rate.

The projection of statutory pass-throughs was not intended to determine fiscal impact to individual taxing entities, but to reflect the fact that the Agency would be subject to such payments in the overall cash flow forecast.

7. Specifically, how much of the tax increment has the Agency collected, in each of the plan areas with Merger No. 1, that has not yet been expended on any projects? (if there is a material difference between tax increment that is obligated to be paid, but, not yet actually paid, we may want to know that).

Refer to Attachment C.

8. The Report states that the Agency could receive about \$508 million (or \$511 million) over the remainder of the life of the Merger No. 1 area. (Report, p. 95, Tables 36, 37). How does that compare with the Agency's proposal to increase the tax increment limits by nearly twice that amount of about \$927 million in item 3, above?

The feasibility cash flow was meant to portray one scenario based upon the given growth assumption. The suggested TI Cap increase was created to provide the Agency with an outside revenue limit that would be sufficient to accommodate future growth that might be higher than that reflected in the one cash flow scenario.

9. What were the specific amounts of the Agency's financial contribution of tax increment to each of the projects listed or referred to on Report Page 7, Table 2, and on Page 8? Judging from the narrative, it does not seem that the "Value of Agency-Assisted Projects" identified on that Table 2 is the actual amount of Agency's financial contribution of tax increment to each of the projects. If those are not that amounts, where are those amounts stated (whether in the Report or other Agency records)?

Agency assistance to redevelopment projects is not limited to direct financial assistance. As allowed by the respective redevelopment plans, the Agency has provided a wide variety of assistance to facilitate redevelopment in the Merger 1 Project Area including:

- A variety of economic development activities designed to attract businesses to Fresno, including, but not limited to, assisting property owners with finding business tenants for properties such as working with the City and County to help place prospective businesses, assisting the County of Fresno and their Economic Development Corporation with business attraction (see Attachment D regarding County office/facilities growth issues), participating in the International Council of Shopping Centers (ICSC)'s Las Vegas and Southern California events in which 50,000 national and international retailers attend each year, working with the Fresno Revitalization Corporation and the Historic Preservation Commission to develop a historic building tour and promotion brochure, and collaborating with the Downtown Association to promote the Fulton Mall with events like Cinco De Mayo and Sudz in the City. The Agency also promotes business attraction in Fresno with the Billion-Dollar Tour, by meeting monthly with local commercial brokers, community meetings for business owners centered on tenant-attraction, the Agency's recently updated website (fresnorda.com), and the RDA's in-house grant writer pursuing money for the rehabilitation of buildings.
- Marketing resources within the Project Area such as the Agency's website, preparation of the Vision 2010 Plan, the preparation of the RTKL Conceptual Master Plan for the

Uptown Cultural Arts District within the Fulton Redevelopment Project Area, the lake/water-themed Mixed-Use Development RFQ/RFP, assistance to Fresno Revitalization Corporation, preparation of the Conceptual Plan for the Santa Fe Promenade, downtown's Billion Dollar Tour, the Met Museum Request for Proposals (RFP), Five-Year Implementation Plans, South Stadium RFP, The Forest City ENA, Chinatown ENA, RFP for Convention Center Hotel, Environmental Impact Report for the Convention Center Parking Garage, and assistance to developers in responding to Federal General Services Lease Announcements.

- Completing streetscape/public improvements and planning and pre-development studies like the RTKL Van Ness Streetscape and Plan, the Fulton Street Plan, Vision 2010, Chinatown Streetscape, infrastructure for Old Armenian Town, Walker Parking Study, Federal Courthouse, Fifth DCA Courthouse, infrastructure improvements associated with the downtown stadium, and the current Chinatown Ammonia Study.
- Agency staff reviews a range of entitlement applications (site plans, conditional use permits, parcel maps, rezoning applications, variances, etc.) on an on-going basis, including the years since the Merger 1 Project was adopted in 1998. Following is a tally of these entitlement reviews since the FY 2005-06:

FY July 05 – June 06	Total – 45
FY July 06 – June 07	Total – 26
FY July 07 – June 08	Total – 23
FY July 08 – June 09	Total – 30
FY July 09 – current	Total – 19

The projects listed as assisted by the Agency are not limited to those where only direct financial assistance was provided to the property owner/developer

10. Does the Agency have any specific projects, or specifically planned projects, intended to eliminate perceived blight from the Merger No. 1 area? Section VI-A of the Report is so generalized that the descriptions of projects do not give the County any real appreciation how, when, or where the Agency will spend tax increment in the Project Merger No. 1 area. Applying the CRL sections 33333.11 and 33354.6, referred to in the Report, the CLR requires the Agency to provide a description of the projects (section 33333.11 also says programs) proposed to eliminate the perceived remaining blight. That implies a reasonable degree of specificity that projects are actually being planned within the proposed new time limitation for the affected project areas so that taxing agencies and taxpayers are assured that the extension of the limitations are justified.

With the anticipated time extensions, within many of the subareas the planned programs to alleviate blighting conditions will be in place from 12 to 23 years hence. Therefore, the Agency needs to retain flexibility to respond to market conditions as they arise and change over the remaining life of the redevelopment plans, and as the Agency responds to development interests and community interests over time. The existing projects and programs anticipated are based upon projects and programs that have been used in the past or are currently being used to eliminate blight.

In Section IX of the Preliminary Report (Pages 116-117) the Amendment to the Implementation Plan identified Projected Agency Expenditures for FY 2005-2010 on a Program basis:

Administration and Planning	\$ 2,431,500
Land Assembly	\$ 5,200,000
Project Area Improvements	\$11,700,000
<u>Business Revitalization and Attraction</u>	<u>\$ 4,500,000</u>
Total for Non-Housing Programs	\$23,831,500
<u>Affordable Housing Programs</u>	<u>\$ 6,581,200</u>
TOTAL AGENCY PROGRAMS	\$30,412,700

We would expect that these Programs would have similar projected expenditures over the next 5 year time period.

11. We observe that Section V of the Report (pages 81-83) narrowly identifies parcels that are no longer blighted as 19 properties which the Agency has financed, and states that the remainder of the Merger No. 1 either is blighted or contains several non-blighted city blocks in the core of the city are necessary and essential for redevelopment.

In many cases, there are specific properties which appear non-blighted, but these buildings may be impacted by vacancies or other issues that are not visually apparent such as the semi-vacant County Bank building at 2688 Divisadero Street, the former PG & E building on Tuolumne Street, and the former Security Bank building in the Fulton Mall, to name a few. Maintaining the condition of these buildings and keeping them occupied by tenants that contribute to the revitalization of the Project Area is necessary and essential for redevelopment.

12. The Report identifies limitations on Merger No. 1 area on a project-by-project basis. However, the Report studies perceived conditions the Merger No. 1 area on a generalized basis, rather than on the basis of each individual project area composing Merger No. 1 area. We would like to know the Agency's justification for not studying Merger No. 1 area on a project-by-project basis.

The Project Area was created as a merged area in 1998, and the Agency addresses blighting conditions throughout the area as a whole. Due to the fact that the different subareas were adopted at different times, the time and financial limits for each subarea were established in different plans so each plan must be amended separately. There is no need or requirement for the Agency to evaluate conditions by subarea.

13. The Report states that there is a high crime rate in the Merger No. 1 area. We would like to review with you whether the data obtained from the Fresno Police Department that the Agency used to reach that conclusion matches the geographic area of the Merger No. 1 area.

The Fresno PD was provided with maps of the Merger 1 Project Area which they used to compile the crime statistics analyzed and included in the report. The area for which the crime statistics were compiled match the geographic boundary of the Project Area.

14. The Report refers to homeless encampments (Report, p. 15). However, the Report does not indicate what the Agency proposes in order to respond to that condition.

In regards to responding to homeless encampments, the Agency conforms to the City of Fresno's Administrative Order 6-23:

The City of Fresno receives regular complaints from citizens and businesses throughout the City which relate to health and safety, and other concerns arising in and around areas in which individuals have erected temporary shelters. By this Administrative Order, the City of Fresno sets forth its policies and procedures for cleaning up areas in which individuals have constructed temporary shelters, and expresses its intention to implement these policies in a manner which balances the needs and rights of all of its citizens, including the residents of such temporary shelters. This policy does not establish any individual right to erect temporary shelters or otherwise encroach on public or private property

The Agency may encounter a homeless encampment on an RDA-owned parcel very rarely, and in such occurrence, the above Administrative Order is followed along with its various procedures. Typically, the City of Fresno and Fresno County Housing Authority deal with homeless encampments on a more regular basis

15. We would like to discuss with you the Agency's identification of perceived blighted conditions within Merger No. 1 area in relation to the legal standard for blight. For example, based on County staff's recent tour of the Merger No. 1 area, some of the buildings that are listed in the Report as deteriorated and dilapidated buildings do not appear to qualify as blighted property. Examples will be provided at the initial consultation.

This will be a discussion point in the upcoming meeting with the County of Fresno. If you have a list or map of these properties we would appreciate receiving a copy in advance of the meeting

16. The Report refers to code complaints (Page 27), but, does not discuss whether any of them were resolved. We understand that the City of Fresno has a very aggressive code enforcement program. What is the status of the deficiencies identified through the City of Fresno's code enforcement process in the Merger No. 1 area?

The intent of the discussion regarding serious code complaints included in the Preliminary Report is not to claim that there are unresolved complaints but to illustrate

- 1) That even with aggressive code enforcement there is a serious and significant on-going problem with serious code violations within portions of the Merger 1 Project Area that necessitates the assistance and participation of the Agency to address, and
- 2) While many complaints are resolved, serious code violations continue to affect the Project Area disproportionately and to a degree that contributes to unsafe and unhealthy conditions.

As stated in the report, though the Project Area has only 2% of the City's population, it has a disproportionate share (6 percent) of the serious code complaints and 10% of the buildings that have been designated as unsafe by code enforcement personnel over the seven-year period analyzed.

17. We understand that the City of Fresno has a very successful Graffiti Clean up program. How has this program impacted the Merger No. 1 area?

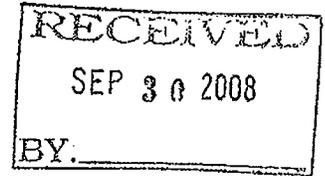
The City's Graffiti Clean-Up Program removed 3.6 million square feet of graffiti from Fresno buildings and infrastructure last year

To combat the on-going graffiti problem within the downtown triangle, the Graffiti Abatement crew dedicates three to four hours a day, seven days a week to the triangle. Their daily routine is comprised of canvassing all the major corridors leading into and through downtown such as the 41/Tulare ramp, 41/O Street ramp, 180/Fulton ramp, and other points of entry. Last year there were 9,000 resolved incidences resulting in 72,000 square feet of abated graffiti.

ATTACHMENT "H"

SEPTEMBER 30, 2008, LETTER FROM ROGER JON DIAMOND

LAW OFFICES OF
ROGER JON DIAMOND
2115 MAIN STREET
SANTA MONICA, CALIFORNIA 90405-2215
TELEPHONE (310) 399-3259
FAX (310) 392-9029
rogdiamond@aol.com



September 24, 2008

Ms. Marlene Murphey, Executive Director
Fresno Redevelopment Agency
2344 Tulare, No. 200
Fresno, CA 93721

Re: Proposed 2008 Amendments to the Redevelopment Plans for Fresno Merger No. 1

Dear Ms. Murphey:

I represent Fresno Property Mangement, LLC, the owner of the real property at 1535 Fresno Street in the City of Fresno. I also represent the tenant, New Wildcat Fresno, LLC, which operates a business at the property. I also represent Ms. Rosalie Tapper. Ms. Tapper just received from you a Notice of Public Meeting and Hearing regarding Proposed 2008 Amendments to the Redevelopment Plan.

Please let me know whether the property at 1535 Fresno Street in the City of Fresno is within the redevelopment area.

Second, please tell me what effect, if any, adoption of the Proposed 2008 Amendments to the Redevelopment Plans would have upon my client's property and business. Please be specific and please put your thoughts in writing. Do not telephone me.

My clients oppose the Proposed 2008 Amendments. If adopted they apparently would allow the City Redevelopment Agency to acquire my clients' property and business under eminent domain law which would violate the Fifth Amendment.

You cannot take private property and give it to somebody else for private use.

You state in your letter that my client may challenge the Proposed Amendments in court only if my clients raise the issues at a public hearing or in written correspondence.

I want to know whether or not any developer has contributed any money to any member of the Fresno City Council or any member of the Redevelopment Agency I want a list of all contributions, the amounts of the contributions, the persons making the contributions and the persons receiving them.

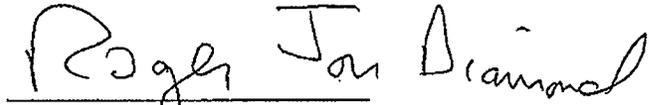
I also want to know whether or not you are aware of any plan to develop the area. On behalf of my clients I respectfully object to the proposal or proposals. They are being done for the purpose of taking property from person A and giving the property to person B. This is a typical way that politicians enrich themselves and developers make a lot of money at public expense.

There is no need to take my clients' property business. Just leave them alone. Fresno can do fine without this proposal. The proposal, if adopted, would violate the Takings Clause of the Fifth Amendment to the United States Constitution made applicable to the states and to cities by the Due Process Clause of the Fourteenth Amendment.

To the extent that my client and/or clients operate an adult bookstore protected by the First Amendment this effort by the City and the Redevelopment Agency to take the property would violate the First and Fourteenth Amendments to the United States Constitution (free speech).

Fresno does not need the proposal. Fresno State probably will defeat UCLA this Saturday at the Rose Bowl. If you plan to be in Pasadena this Saturday at the Rose Bowl for the game between Fresno State and UCLA please contact and we can meet at the game. I will be in Section 19, Row 66, seats 1 through 8.

Sincerely,


ROGER JON DIAMOND

RJD:jb

cc: R. Tapper

**LETTERS OF SUPPORT
FOR MERGER NO. 1
REDEVELOPMENT PLAN AMENDMENTS**

April 16, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt.

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations, the debt incurrence, debt repayment, tax increment, and eminent domain limits, and, land use plan changes.

My company has worked with the Agency closely over the past several years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts has led to the store front improvements of 1145 and 1250 Fulton Mall and allowed us to do work we could not have done without this program. The RDA has been very helpful with design assistance for signage, doors windows and other architectural considerations which have insured compatibility with adjacent buildings. The RDA is a very positive and effective entity staffed with excellent people that are very positive and enthusiastic about Downtown.

I am a 66 year old native of Fresno. My wife and I have owned property on the Fulton Mall for the past (12) years. I am a Downtown enthusiast. I am also privileged to be a member of the Fulton Corridor Specific Plan Advisory Committee. We have a tremendous positive momentum in Downtown Fresno at this time; more than I have ever seen. The Redevelopment Agency is an essential and vital part of this momentum.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Alan L. Allen
A A Industrial Construction (retired)
Fulton Mall property owner

April 15, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

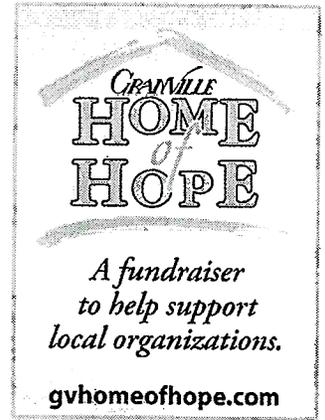
This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

My company has worked with the Agency closely over the past several years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts has led to our company being able to remove and replace large broken windows and revitalize our exterior facade and, in addition, allowed us to focus on upgrading our entire building.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Sandra King
1060 Fulton Mall #915
Fresno, CA 93721



April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

Our company and its affiliates and trade partners have worked with the Agency closely over the past several years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In our case, the Agency's efforts have led to the construction of the Vagabond Lofts, the Iron Bird Lofts, and the H Street Artist Lofts, which have allowed us to add 144 residential units to the downtown area. In conjunction with the Agency, we have broken ground at our Fulton Village project, which will add another 46 residential units.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Darius Assemi
President, Granville Homes





April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No. 1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits, and, land use plan changes.

My company has worked with the Agency closely over the past several months and turned my property from a "forsaken place" to an awesome place, enough to catch the attention of Community Regional Medical Center - ultimately renting three office spaces at a rate comparable to the north side of town.

I strongly feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts has allowed my property not only to become productive but also provided its tenants and staff an aesthetically pleasing and safe place to work at.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,



Cynthia Mayhay-Lopez, M.D



Revitalizing Downtown Since 1975

April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

Civic Center Square, the vision of John Tutelian, in partnership with the Redevelopment Agency, was established in 1976 with the adaptive rehabilitation of the Tulare Hotel into modern office space. Additional new and rehabilitated spaces expanded Civic Center Square from the 1970's into the 1990's. More recently we have installed the IRS in the new 40,000 square foot Taxpayer Assistance Center and the Social Security Administration in over 20,000 square feet in our new 4-story office building, all in partnership with the Redevelopment Agency

These are prime examples of Civic Center Square's and the Redevelopment Agency's jointly successful efforts to help return key office users to downtown and of their joint commitment to the revitalization of downtown.

Civic Center Square is firmly in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No 1. We understand that the Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle, which contains Civic Center Square, plus the South Van Ness Industrial Area, which contains additional property owned by the Tutelian family, by updating its plan durations, the debt incurrence, debt repayment, tax increment, and eminent domain limits, and, land use plan changes.

We have worked closely and successfully with the Agency for several decades on projects in the Merger No. 1 area (Merger No. 1) and firmly believe that the continuation of the Agency's tools is essential for further downtown revitalization, including that planned by Civic Center Square.

We urge that you recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

A handwritten signature in black ink, appearing to read "R. S. Martin", written in a cursive style.

R.S. (Stan) Martin, President

April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

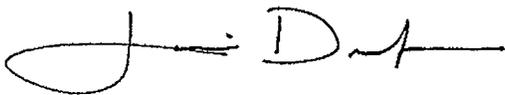
Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

My company has worked with the Agency closely over the past several months on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts has led to numerous potential storefront improvement projects and has allowed me to use my knowledge and skill set as a local architect to help enhance businesses and the buildings that house them, thus further enhancing the communities in which these businesses reside. I believe that these projects will contribute significantly to moving Downtown Fresno one step closer toward revitalization.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

A handwritten signature in black ink, appearing to read "J. Dronyk". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jamie Dronyk, AIA, LEED AP
Architect



2025 N. Gateway, Suite 101 • Fresno, CA 93727
Phone (559) 288-3925 • Fax (559) 226-3925 • wadyck@yahoo.com

April 13, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairwoman Holt,

My company has worked with the Redevelopment Agency of Fresno on several downtown developments located in Merger Area #1. I have reviewed the RDA's plans to update its redevelopment policy for this area including modifications to plan durations, incurrence and repayment of debt, tax increment, eminent domain use, and land use plan changes. In my developments I have worked closely with the agency to bring viability to projects that may otherwise stall without their involvement. For example, the RDA has acted as an essential catalyst in our Warehouse Row project to secure long term parking agreements without which, the project could not move forward. It is essential that we continue to provide the RDA the most effective tools to continue supporting excellent development downtown. I write this letter in support of the proposed changes and encourage you and the other distinguished commission members to approve the amendments and certification of the SEIR.

Sincerely,

William Dyck
Summa Development Group



COMMUNITY
MEDICAL CENTERS

April 13, 2010

Legal Services Ph. (559) 459-2471
Facsimile (559) 498-3774

File No. 9562.05

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

Community Medical Centers has worked with the Agency closely over the past fourteen years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In our case, the Agency's efforts has led to the construction of the Trauma and Critical Care Building, which is now the centerpiece of the Community Regional Medical Center, two large parking structures, a medical laboratory, a medical office building, a Central Energy Plant supplying water, power, heating, cooling and medical gases to the entire campus, an Ambulatory Care Center and the University of California Medical Research Building and has allowed Community Medical Centers to transition patient care to the downtown campus from the former University Medical Center on South Cedar Avenue.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Robert E. Ward
Chief Legal Officer

REW/mg

April 13, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

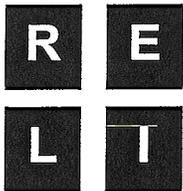
This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No. 1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations, the debt incurrence, debt repayment, tax increment, and eminent domain limits, and, land use plan changes.

My company has worked with the Agency closely over the past several years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts have led to a digital "before and after" rendering for the revitalization of the Crest Theatre. The Agency will also assist me in the future with their Storefront Improvement Program.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,


Gloria Leon
Owner, Crest Theatre
1170 Broadway Plaza
Fresno, CA 93721



ROBERT ELLIS

LEASING & INVESTMENT, INC.

April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, California 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No. 1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

My company has worked with the Agency closely over the past several years on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts has led to our successful redevelopment and allowed us to lease up our buildings located at 2115 Kern Street (The Exchange Place), 2409 Merced Street, 2816 North Blackstone Avenue, 1025-1027 Fulton Mall and we are looking forward to their assistance on our new project at 1713 Tulare Street (Fresno Station.)

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

ROBERT ELLIS LEASING & INVESTMENT, INC

Robert E. Ellis

REE/ltr/City of Fresno 4-20-10

April 13, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No 1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

My company has worked with the Agency closely over the past several years on projects in the Merger No 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts have led to property improvements that have enhanced their appearance and reduced maintenance. Some of this work has been pro-bono and some has been paid. We provide pro-bono work for the Redevelopment Agency because we support their efforts to improve the downtown area.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,



Paul N Miller

Edward L. Fanucchi
Rene F. Zuzuarregui
Edward D. Fanucchi
David M. Moeck

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**QUINLAN, KERSHAW & FANUCCHI**

A Limited Liability Partnership

**Attorneys at Law**

**2125 Merced Street**

**Fresno, California 93721**

Telephone: (559) 268-8771

Facsimile: (559) 268-5701

[www.qkffirm.com](http://www.qkffirm.com)

Tax ID # 01-0614567

William A. Quinlan  
1926-1999  
Michael Kershaw  
1922-1999

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Commemorating

50 years

1957-2007

April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

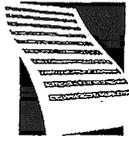
Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations; the debt incurrence, debt repayment, tax increment, and eminent domain limits; and, land use plan changes.

My company has worked with the Agency closely over the last year on projects in the Merger No. 1 area (Merger No. 1) and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts have led to storefront beautification and allowed us to exemplify the beauty of downtown Fresno, thereby, attracting more clientele. The more beautifications that take place in our city, the safer it appears, dispelling fears of doing business in the downtown area. I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Joye Maddox
Office Administrator



VALLEY DOCUMENT SOLUTIONS, LLC.
Litigation Support & Document Management

April 20, 2010

City of Fresno
Planning Commission
2600 Fresno Street
Fresno, CA 93721

Dear Chairperson Holt:

This letter is in support of the Redevelopment Agency's proposed Plan Amendments for Merged Area No.1. The Agency is updating its Merger No. 1 Redevelopment Plan, which covers most of the downtown triangle plus the South Van Ness area, by updating its plan durations, the debt incurrence, debt repayment, tax increment, and eminent domain limits, and, land use plan changes.

My company worked with the Agency closely in 2008 & 2009 on a project in the Merger No. 1 area (Merger No. 1) more specifically in the Cultural Arts District, and feel that the continuation of the Agency's tools is essential for further downtown revitalization. In my case, the Agency's efforts assisted us with the funds for the façade improvement on our property at 1724 Broadway. Those funds offset some of our cost for re-dashing the front of the building and replacing windows.

I urge you to recommend approval of the Plan Amendments and the certification of the Subsequent Environmental Impact Report ("SEIR").

Sincerely,

Cameron Moors
Managing Partner
Valley Document Solutions, LLC
1724 Broadway