



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. **VIII-C**
COMMISSION MEETING 1-12-11

January 12, 2011

APPROVED BY
John M. Dugan
DEPARTMENT DIRECTOR

FROM: JOHN M. DUGAN, AICP, Director
Development and Resource Management Department

THROUGH: KEVIN FABINO, Planning Manager
MIKE SANCHEZ, Planning Manager
Development Services Division

[Handwritten signatures: MS and SPag]

BY: SOPHIA PAGOULATOS, Planner
Development Services Division

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT NO. C-10-179 AND RELATED ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO. C-10-179

RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan, the Central Area Community Plan, and the Chinatown Expanded Redevelopment Project Area; its compatibility with surrounding existing or proposed uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment.

Upon consideration of staff evaluation, it can be concluded that proposed Conditional Use Permit No. C-10-179 is appropriate for the project site. Therefore, staff recommends that the Planning Commission take the following actions:

1. APPROVE the environmental finding of Environmental Assessment C-10-179, a Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report, dated August 17, 2009; and
2. DENY the appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-10-179 subject to the following:
 - a) Development shall take plan in accordance with Exhibits A, F, E-1, E-2 and L dated November 8, 2010.
 - b) Development shall be in accordance with the conditions of approval dated November 10, 2010.

EXECUTIVE SUMMARY

Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno Department of Public Utilities/Water Division filed Conditional Use Permit No. C-10-179 pertaining to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41. The applicant proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and on-site parking and landscaping. The property is zoned M-2 (*General Industrial*).

The decision of the Planning Commission is final unless the application is appealed to the City Council by the Council Member or Mayor, or unless the environmental determination is appealed to the City Council.

PROJECT INFORMATION

PROJECT	Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno Department of Public Utilities/Water Division filed Conditional Use Permit No. C-10-179 pertaining to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41. The applicant proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and on-site parking and landscaping. The property is zoned M-2 (<i>General Industrial</i>).
APPLICANT	Quad Knopf, Amber Adams 6051 North Fresno Street, Suite 200 Fresno, CA 93710
LOCATION	401 H Street, Fresno, CA Assessor's Parcel Number: 467-020-49MU, 52ST, 53MU Council District 3, Councilmember Sterling
SITE SIZE	3.64 acres
LAND USE	Existing – Commercial Mixed-Use Level 2 Proposed- Commercial Mixed-Use Level 2
ZONING	Existing- M-2 (<i>General Industrial</i>). Proposed- M-2 (<i>General Industrial</i>).
PLAN DESIGNATION AND CONSISTENCY	The proposed use is permitted in the M-2 (<i>General Industrial</i>) zone district. The land use consistency table (Exhibit No. 8) of the Central Area Community Plan does not list the M-2 zone district as consistent with the Mixed Use Level 2 planned land use, however Fresno Municipal Code Section 12-607-A exempts properties zoned prior to the adoption date of the article from consistency requirements. The subject property was zoned M-2 prior to adoption of the article in 1987, therefore consistency is not required.
ENVIRONMENTAL FINDING	Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report, dated August 17, 2009 was prepared and adopted by the Fresno City Council on September 17, 2009. An addendum dated November 10, 2010 was prepared to specifically include the processing of a special permit in the project description.
PLAN COMMITTEE RECOMMENDATION	The District 3 Plan Implementation Committee was in recess during the routing period for this special permit.
STAFF RECOMMENDATION	Recommend that the Planning Commission deny the appeal and uphold the Director's determination to approve Conditional Use Permit C-10-179.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Commercial Mixed Use Level 2	M-2 <i>General Industrial</i>	Warehouse (Valley Pipe)
South	Commercial Mixed Use Level 2	M-2 <i>General Industrial</i>	Monterrey Street Bridge and State Route 41
East	Light Industrial	M-2 <i>General Industrial</i>	Warehouse
West	Commercial Mixed Use Level 2	M-2 <i>General Industrial</i>	Union Pacific Railroad Tracks

ENVIRONMENTAL FINDING

A Finding of Conformity to the 2025 Fresno General Plan (SCH # 2001071097) and the related Master Environmental Impact Report (MEIR) No. 10130 was prepared by Quad Knopf and adopted by the City Council on September 17, 2009. The Finding of Conformity concluded that while the subject property is currently vacant, it may be further developed at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the project would not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it was concluded that future development would not adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings were verified by the Public Works and Public Utilities Departments. It was further determined that all applicable mitigation measures of MEIR No. 10130 were applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of an MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. The Finding of Conformity that was prepared by Quad Knopf and adopted by the City Council on September 17, 2009 arrived at this conclusion.

An addendum was prepared by staff to specifically include the consideration of the special permit in the project description. Section 15164 of the CEQA Guidelines state that an addendum to a previous environmental document may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Section 15162 in turn states that if new significant impacts would result from a proposed project change, or if new information becomes available that would result in new significant impacts, then an addendum would not be adequate, and either a subsequent EIR or a subsequent negative declaration shall be prepared.

In the case of the subject addendum described above, no new significant impacts would occur from making explicit the fact that a conditional use permit is the discretionary approval required, and that it is part of the project description. The proposed project is listed as a conditional use under Fresno Municipal Code Section 12-304-B, subsections 10 and 11, which designate government facilities and public utility structures as conditional uses. The addendum clarifies the discretionary permits required to execute the project. The project itself has not changed, however. Furthermore, no new information has become available that could result in the creation of new significant impacts.

The addendum concludes that "City of Fresno Three Million Gallon Water Storage Tank" Finding of Conformity adopted by the Fresno City Council on September 17, 2009 conforms to the California Environmental Quality Act Guidelines Section 15164 and no further environmental review is required.

PUBLIC NOTICE

In accordance with Government Code Section 65091 (Planning and Zoning Law) and Fresno Municipal Code Section 12-406-D-2, all property owners within 350 feet of the subject property were mailed a Notice of Granting of the Director's decision to approve Conditional Use Permit Application No. C-10-179. The notice included a brief project description, the environmental finding, and a description of the appeal process, including a 15-day appeal period. The same property owners and appellants also received a notice of the public hearing for this appeal (see Exhibit E for Noticing Map).

APPEAL

An appeal of the Director's decision was received by the Development and Resource Management Department on November 29, 2010 (see Exhibit H). The appeal was filed by The H.E.A.T for SouthWest Fresno Community based on the reasons outlined below, which have been excerpted from the appeal letter, and are addressed individually below:

1. There was no community meeting or community input in regards to this project.

The Development and Resource Management Director has the granting authority to approve conditional use permits pursuant to Fresno Municipal Code Section 12-406. Under this section, no community meeting or public hearing is required (unless appealed, in which case a public hearing before the planning commission is required). The conditional use permit for the project would have been routed to the District 3 Plan Implementation Committee for review according to standard procedure; however the D-3 committee was in recess during the routing period.

Because the project is a capital project, it was discussed before the City Council on the following dates:

- a. 8/21/07: City Council Agenda Item No. 9:30, Item A:
 - (a) Directed staff to proceed with work on current H Street site;
 - (b) This Agenda Item provided history of previous site (northeast corner of Broadway and Mono St)
- b. 4/23/09: City Council Agenda Item No. 9:30 AM, Item I:
 - (a) Granted conditional authorization to enter into Purchase and Sale Agreement for purchase of current 3.6 acre site at H Street.
 - (b) This Agenda Item also provides "history" of previous site (northeast corner of Broadway and Mono St)
- c. 9/17/09: City Council Agenda Item No. 10:20 AM:

(a) Council Action adopted environmental findings for project

2. The project is being proposed near an elementary school, Lincoln Elementary, and there are concerns regarding the use of chemicals in the water treatment components.

The environmental assessment addresses the location of the project site relative to existing or proposed schools. The IS/FOC, under page 3-35 of Section 3 – Environmental Checklist, Hazards/Hazardous Materials Discussion, Conclusion c), states the following:

*“There are no existing or proposed schools within a one-quarter mile of the proposed project site (City of Fresno 2025 General Plan, Appendix F). There is **no impact**.*

Based on measurements taken within the City’s GIS system, Lincoln Elementary is approximately 0.4 miles from the project site. This exceeds the one-quarter mile criteria mentioned above.

As indicated on page 6 of the CUP Operational Statement (Exhibit J, attached) the water entering and leaving the tank may be chlorinated with a 12.5% Sodium Hypo-Chlorite liquid solution. Chlorination equipment is required at this site to maintain chlorine residual and meet drinking water quality standards for water entering and exiting the tank. This Hypo-Chlorite solution will be stored in a cross linked polyethylene double wall safe-tank (or other suitable tank) located inside of the Chlorination Room shown on the Site Plan.

The California Department of Education (CDE), School Facilities Planning Division, regulates school siting and proximity to potentially hazardous circumstances. CDE uses "Form 4.0 - Initial School Site Evaluation" when determining the appropriate siting/setbacks for schools. It is basically a checklist which identifies proximity to airports, railroad tracks, high-voltage transmission lines, landfills, high pressure water pipelines, water storage tanks, hazardous facilities within a ¼ mile, etc. Generally speaking, if a school is greater than 1500 feet from any of these circumstances, then there is no issue with school proximity. CDE’s School Site Selection and Approval Guide is available at the following location: <http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#emissions>. Applicable Education Codes, Public Resource Codes, and CCR’s are cited where appropriate within the CDE’s School Site Selection and Approval Guide.

3. It appears that this project will be in conflict with the Downtown Neighborhoods Revitalization plans.

The project is located in the M-2 zone district, the purpose of which is to “provide for the establishment of industrial uses essential to the development of a balanced economic base.” Specifically, the use is allowed as a public utility/public service structure. The project is located within the Central Area Community Plan and the Chinatown Expanded Redevelopment Plan Areas and provides needed infrastructure for the execution of those plans. On September 7, 2010, the Downtown and Community Revitalization Department provided a memo in support of the project. The Director of the Development and Resource Management found the project to be consistent with all applicable plans, and no evidence has been presented to the contrary. Therefore staff has not changed its conclusion that the project is consistent with all applicable plans and policies, including the Central Area Plan, which is the applicable downtown plan at this time.

4. This project is near or in the same area proposed for the high-speed rail.

The City of Fresno Water Division coordination of the project with the High Speed Transportation Project (HSTP) is addressed on page 2 of the Operational Statement (see Attachment J). As indicated

in that section, water division staff met with representatives of the HSTP design team on June 22, 2010 to discuss and present a solution to avoid conflicts between both projects. As a result of that meeting, the site plan was modified to include a maximum 60-foot wide buffer zone along the back of the site, parallel to the railroad, to allow for the future construction of the HSTP.

LAND USE PLANS AND POLICIES

The most relevant objectives and policies of the various plans that pertain to the project are discussed below:

Central Area Community Plan

Infrastructure Goal 6.3: Provide an effective, comprehensive infrastructure system to support existing development, accommodate growth and enhance the vitality of the Central Area.

The purpose of the proposed project is to improve the overall performance of the water infrastructure in the central area, consistent with the plan's goals.

Urban Design Implementation Action 7-2: Maintain, enhance and enlarge the public art collection in the Central Area.

The conditions of approval for the project recommend that public art be included in the project.

2025 Fresno General Plan

Objective E-22: 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.

Policy E-22-c: The Department of Public Utilities will recommend capital improvement plans and fee schedules to meet the demands of planned development (including both intensification of established areas and new development within designated growth areas) and continue to provide adequate water quantity and quality to serve the established urban community ...

Policy E-22-d: Continue to evaluate existing water production and distribution systems and facilitate necessary repair or enhancement of damaged or antiquated facilities.

The proposed project was developed by the Department of Public Utilities to maintain adequate water supplies and distribution in the central area, consistent with plan policy. The project is currently included in the city's capital improvement program.

Policy C-14-a: Public facilities will be sited and developed in a manner which protects the integrity of surrounding neighborhoods.

The proposed project was sited at its current location in an industrial area bounded by State Route 41 and the Union Pacific Railroad because the site is appropriate for enhancement of the central area water system and because its scale and character is consistent with the industrial buildings in the immediate vicinity. It has been designed to be compatible with the surrounding industrial/warehouse uses and is consistent with the Industrial Design Guidelines required by the redevelopment agency. Full streetscape improvements and on-site landscaping are conditions of project approval.

CONDITIONAL USE PERMIT FINDINGS

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-405-A-2.	
<i>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,</i>	
Finding a:	The project consists of a three million gallon water tank and 8,700 square foot operations building on a 3.64 acre site, resulting in a lot coverage of approximately 14%. With conditions imposed, all requirements related to yards, spaces, walls and fences, parking, loading, recycling areas, and landscaping will be met.
<i>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,</i>	
Finding b:	The existing street network can accommodate the traffic to be generated by the project. A traffic study was not required for the request because projected traffic generation was below thresholds identified in the general plan. The site will not be permanently staffed, but will be managed remotely. However up to three staff visits per day may occur, in addition to deliveries. Average daily trips are not expected to exceed 10, which is well within the capacity of the existing street network and below what was assumed in the 2025 Fresno General Plan MEIR.
<i>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. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of this Code.</i>	
Finding c:	Approval of Conditional Use Permit Application No. C-10-179 authorizing the construction of a three million gallon (3MG) water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and on-site parking and landscaping would not be detrimental to those properties in the vicinity or detrimental to public welfare, with conditions of approval imposed. All applicable plan policies and standards required by the Fresno Municipal Code and the 2025 Fresno General Plan, the Central Area Community Plan and the Chinatown Expanded Redevelopment Project Area Plan have been applied to the proposed project, in addition to project conditions and MEIR mitigation measures to ensure compatibility with those surrounding land uses and to prevent any detriment to public welfare. The proposed use meets a documented need for enhancement to the water infrastructure in the central area, and will contribute to enhanced public safety by ensuring adequate flow for fire suppression.

CONCLUSION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan, the Central Area Community Plan and the Chinatown Expanded Redevelopment Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Conditional Use Permit No. C-10-179 is appropriate for the project site. Therefore, the Director's decision to approve Conditional Use Permit C-10-179 should be upheld and the appeal denied.

Exhibits:

- A. Vicinity Map
- B. 2008 Aerial Photograph of site
- C. Planned Land Use Map
- D. Site Plan and Elevations
- E. Noticing Map (350-foot radius)
- F. Conditions of Approval dated November 10, 2010
- G. Environmental Assessment No.C-10-179
- H. Appeal Letter received November 29, 2010
- I. Response to Appeal Letter dated January 3, 2011
- J. Operational Statement dated November 2010

Exhibit A
Vicinity Map



Subject Property

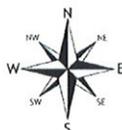
VICINITY MAP

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

**CONDITINAL USE PERMIT
APPLICATION NO. C-10-179**

PROPERTY ADDRESS

401 H Street



Not To Scale

APNs: 467-020-49MU, 52ST, 53MU
Zone District: M-2 (General Industrial)
By: S. Pagoulatos
Date: January 12, 2011

Exhibit B
2008 Aerial Photograph of Site



Exhibit C
Planned Land Use Map

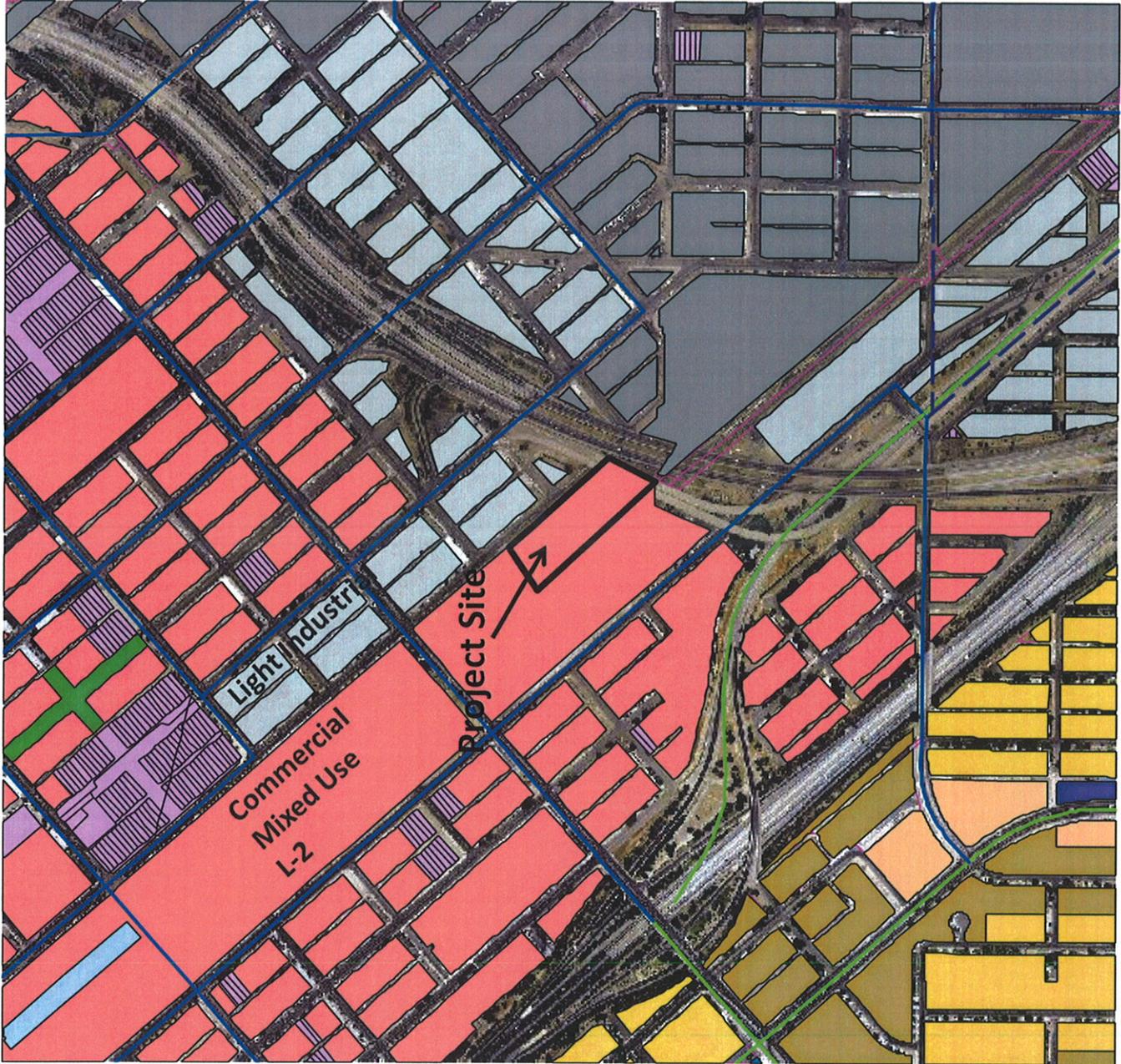


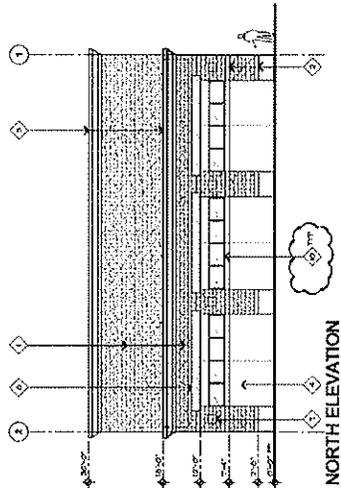
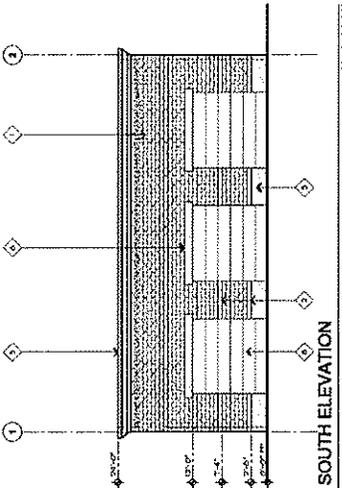
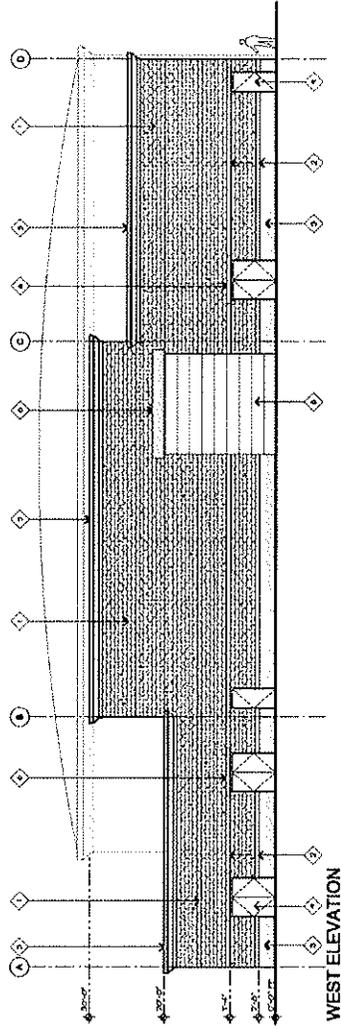
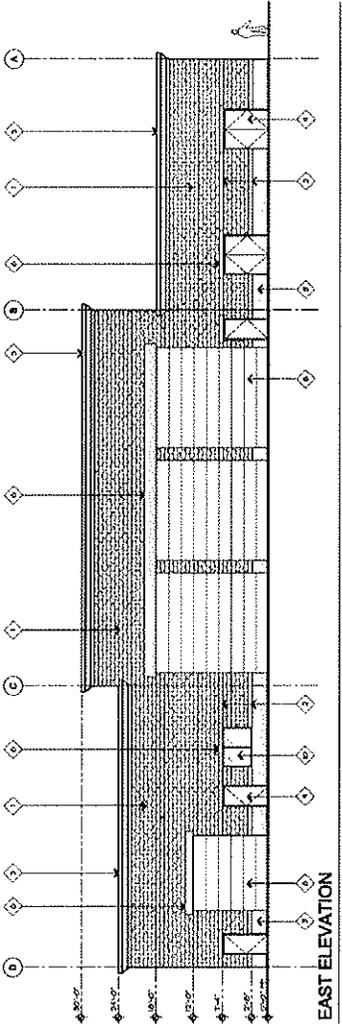
Exhibit D

Site Plan and Elevations submitted for Conditional Use
Permit Application No. C-10-179
(These exhibits are subject to conditions of approval)

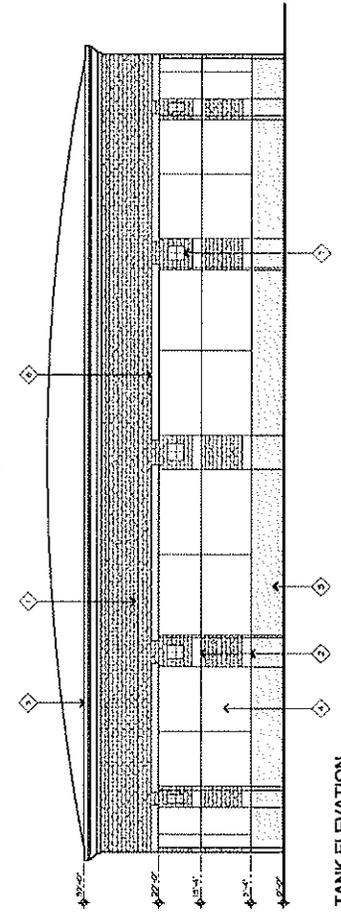


T-4 3MG WATER STORAGE TANK PROJECT CONDITIONAL USE PERMIT - ELEVATIONS

PROJECT:
CITY OF PHOENIX
T-4 3MG WATER STORAGE TANK PROJECT
PROJECT No. 090030



EXTERIOR FINISH SCHEDULE	
SYMBOL	DESCRIPTION
①	PAINTED PLASTER ON CMU
②	PAINTED PLASTER ON CMU
③	PAINTED PLASTER ON CMU
④	PAINTED PLASTER ON CMU
⑤	PAINTED PLASTER ON CMU
⑥	PAINTED PLASTER ON CMU
⑦	PAINTED PLASTER ON CMU
⑧	PAINTED PLASTER ON CMU
⑨	PAINTED PLASTER ON CMU
⑩	PAINTED PLASTER ON CMU
⑪	PAINTED PLASTER ON CMU
⑫	PAINTED PLASTER ON CMU
⑬	PAINTED PLASTER ON CMU
⑭	PAINTED PLASTER ON CMU
⑮	PAINTED PLASTER ON CMU
⑯	PAINTED PLASTER ON CMU
⑰	PAINTED PLASTER ON CMU
⑱	PAINTED PLASTER ON CMU
⑲	PAINTED PLASTER ON CMU
⑳	PAINTED PLASTER ON CMU
㉑	PAINTED PLASTER ON CMU
㉒	PAINTED PLASTER ON CMU
㉓	PAINTED PLASTER ON CMU
㉔	PAINTED PLASTER ON CMU
㉕	PAINTED PLASTER ON CMU
㉖	PAINTED PLASTER ON CMU
㉗	PAINTED PLASTER ON CMU
㉘	PAINTED PLASTER ON CMU
㉙	PAINTED PLASTER ON CMU
㉚	PAINTED PLASTER ON CMU
㉛	PAINTED PLASTER ON CMU
㉜	PAINTED PLASTER ON CMU
㉝	PAINTED PLASTER ON CMU
㉞	PAINTED PLASTER ON CMU
㉟	PAINTED PLASTER ON CMU
㊱	PAINTED PLASTER ON CMU
㊲	PAINTED PLASTER ON CMU
㊳	PAINTED PLASTER ON CMU
㊴	PAINTED PLASTER ON CMU
㊵	PAINTED PLASTER ON CMU
㊶	PAINTED PLASTER ON CMU
㊷	PAINTED PLASTER ON CMU
㊸	PAINTED PLASTER ON CMU
㊹	PAINTED PLASTER ON CMU
㊺	PAINTED PLASTER ON CMU
㊻	PAINTED PLASTER ON CMU
㊼	PAINTED PLASTER ON CMU
㊽	PAINTED PLASTER ON CMU
㊾	PAINTED PLASTER ON CMU
㊿	PAINTED PLASTER ON CMU



T-4 3MG WATER STORAGE TANK PROJECT CONDITIONAL USE PERMIT - RENDERING



Exhibit E
Noticing Map (350-foot radius)

Exhibit F
Conditions of Approval for
Conditional Use Permit Application
No. C-10-179

**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
NOVEMBER 10, 2010**

CONDITIONAL USE PERMIT APPLICATION No. C-10-179

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

PART A - PROJECT INFORMATION

1. Assessor's Parcel No: 467-020-49MU, 52ST, 53MU
2. Job Address: 401 H Street
3. Street Location: Located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41 within the boundaries of the Central Area Community Plan and the Expanded Chinatown Redevelopment Plan
4. Existing Zoning: M-2 (*General Industrial*).
5. Planned Land Use: Commercial Mixed Use Level 2
6. Plan Areas: Central Area Community Plan; Chinatown Expanded Redevelopment Area
7. Project Description: Conditional Use Permit C-10-179 pertains to approximately 3 acres of property and proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square-foot operations building, treatment components, associated water system improvements, and on-site parking and landscaping.

PART B – GENERAL CONDITIONS AND REQUIREMENTS

The Development and Resource Management Department, on November 10, 2010, approved the special permit application subject to the enclosed list of conditions and Exhibits A, F, E-1, E-1 and L dated November 8, 2010.

The project proposed for Conditional Use Permit Application No. C-10-179 was determined to be in conformance with the 2025 Fresno General Plan Master EIR (MEIR No. 10130) and the Air Quality Mitigated Negative Declaration. A Finding of Conformity to the 2025 Fresno General Plan MEIR and Air Quality MND was filed on August 17, 2009, and adopted by the Fresno City Council on September 17, 2009. A Notice of Determination was filed on September 18, 2009. Copies of the entire environmental document, including the initial study, are available in the Development and Resource Management Department project file.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval are listed in the last section of this list of conditions under the heading "Part F - Miscellaneous" and may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Fresno Municipal Code (FMC) Section 12-405.A can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Development and Resource Management Director within 15 days.

In the event you wish to appeal the Director's decision or discretionary conditions of approval, you may do so by filing a written appeal with the Director. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld. Your appeal must be filed by **November 29, 2010.**

Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

1. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions. **(Include this note on the site plan.)**

No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted. **(Include this note on the site plan.)**

Transfer all red line notes, etc., shown on Exhibits A, F, E-1, E-1 and L dated November 8, 2010, to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit shall commence by **November 10, 2014** (four years from the date of Director approval). There is no exception.

To complete the back-check process for building permits relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, and any fees and title reports for required covenants and any required studies or analyses to Sophia Pagoulatos in the Development Services Division for final review and approval, fifteen days before applying for building permits. It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been met or are not properly depicted. Upon approval of the "corrected exhibits" by the Development Services Division, you must place these exhibits in the plan check set and the Development Services Division, along with Traffic Planning, will sign and stamp these exhibits. Please bring two additional copies of the site plan exhibit(s) to this appointment so that both the Development Services Division and Traffic Planning have a final signed-off copy of the site plan.

Copies of the final approved site plan, elevations, landscape, and irrigation plans stamped by the Development Services Division **must be substituted** for unstamped copies of same in each of the sets of construction plans submitted for plan check prior to issuance of building permits. The final approved site plan must also include all corrections identified in the plan check process.

Be advised that on-site inspections will not be authorized unless the final stamped approved site plan, elevations, landscape, and irrigation plans are included in the plan check file copy.

Please contact Sophia Pagoulatos at (559) 621-8062 or via e-mail at Sophia.Pagoulatos@fresno.gov for an appointment for final sign-off for building permits following your receipt and substitution of the copies of the stamped, corrected, approved exhibits in the plan check sets.

PART C – PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, for which this review process is dependent, will be imposed whenever such conditions are disclosed.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to **Ann Lillie at (559) 621-8690 / ann.lillie@fresno.gov**, Engineering Division, Traffic Planning Section.

1) STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

- a) Exhibit A is required to include all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights-of-way.
 - (i) A minimum 4-foot wide path of travel along the public sidewalk on all frontages of the property as required by Title 24 of the California Administration Code is required. An on-site pedestrian easement may be required if Title 24 requirements can not be met within the existing public rights-of-way.
- b) ENCROACHMENT PERMITS. The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City Engineer. For encroachment permit information, contact the Public Works Department, Engineering Services Division at (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

- c) DEDICATIONS. The following dedication requirements must be satisfied prior to the issuance of building permits:
 - (i) Comply with the required dedications listed in the Public Works-Engineering Division memorandum dated September 7, 2010 revised on November 16, 2010.
 - (ii) Deed documents for the required property dedications shall be prepared by the applicant's engineer and submitted to the Public Works Department, Engineering Division, Special Districts / Projects and Right-of -Way Section with verification of ownership **prior** to issuance of building permits. Deed documents must conform to the format specified by the city. Document format specifications may be obtained from the Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, or by calling (559) 621-8694.
- d) VACATIONS. The following vacation requirements must be satisfied prior to issuance of building permits:
 - (i) None required.

2) STREET IMPROVEMENTS

- a) All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. The performance of any work within the public street rights-of-way (including pedestrian, water and sewer utility easements) requires a STREET WORK PERMIT **prior** to commencement of work. Contact the City of Fresno Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the city **prior** to occupancy.
- b) Repair all damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division. For additional information call (559) 621-5500.
- c) Comply with the required street improvements listed in the Public Works-Engineering Division memorandum dated September 7, 2010 revised on November 16, 2010.

3) WATER AND SEWER SERVICE REQUIREMENTS AND CONNECTION CHARGES

- a) Connection to the City of Fresno water system is required.
- b) Connection to the City of Fresno sewer system is required.
- c) City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and

sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.

- d) Open street cuts are not permitted; all utility connections must be bored.
- e) CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
- f) SEWER CONNECTION CHARGES (FMC Section 9-503-a). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.
 - (i) Lateral Sewer Charge (based on property frontage to a depth of 100')
 - (ii) Oversize Sewer Charge (based on property frontage to a depth of 100')

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP).

For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

- g) WATER CONNECTION CHARGES: (FMC Sections 14-107 to 14-110). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council **prior** to issuance of building permits may also be applied.
 - (i) Frontage Charge (based on property frontage)
 - (ii) Transmission Grid Main Charge (based on acreage)
 - (iii) Transmission Grid Main Bond Debt Services Charge (based on acreage)
 - (iv) Fire Hydrant Charge (based on square footage to a depth of 250')
 - (v) UGM Water Supply Fee (based on living units, living unit equivalents or acreage)
 - (vi) Wellhead Treatment Fee (based on living units or living unit equivalents)
 - (vii) Recharge Fee (based on living units or living unit equivalents)

- (viii) 1994 Bond Debt Service Charge (based on living units or living unit equivalents)
- (ix) Service Charges (based on service size required by applicant)
- (x) Meter Charges (based on service need)

4) OFF-STREET PARKING FACILITIES AND GEOMETRICS

- a) Off-Street (on-site) parking facilities and geometrics shall conform to the City of Fresno, Public Works Department, Parking Manual, and Standard Drawing(s) P-41, P-42, P-43, and requirements as noted on Exhibit A.
- b) Applicant shall provide access and directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as determined by the City Traffic Engineer.
- c) Submit an operational statement for the proposed gate(s) to Traffic Engineering for review and approval prior to permits.
- d) Provide ADA details; wheel stops may be required.

5) SURVEY MONUMENTS AND PARCEL CONFIGURATION

- a) All survey monuments within the area of construction shall be preserved and if disturbed, shall be reset by a licensed land surveyor of the State of California.
- b) A lot merger may be required prior to permits to establish the proposed project configuration. Verify with Development Services staff.

6) IRRIGATION DITCH/CANAL REQUIREMENTS

- a) There are no irrigation requirements at this time.

7) CITY WIDE DEVELOPMENT IMPACT FEES

- a) Traffic Signal Fee. This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
- b) Fire Station Fee (based on building square footage)
- c) Police Fee (based on building square footage)
- d) Parks Fee (based on the number of residential units)

8) FRESNO COUNTY FACILITY IMPACT FEE

- a) Pay Fresno County Facility Impact Fee. Provide proof of payment or exemption prior to issuance of permits.

PART D – PLANNING/ZONING REQUIREMENTS

1) PLANNING

- a) Development is subject to the following:
- i) M-2, General Industrial District (*Section 12-227 of the FMC*)
 - ii) Central Area Community Plan
 - iii) Chinatown Expanded Redevelopment Plan
 - iv) 2025 Fresno General Plan and Design Guidelines
 - v) Industrial Development Design Guidelines

2) ZONING

- a) Development is proposed in accordance with the existing M-2, General Industrial District (*Section 12-227 of the FMC*). All future uses shall be subject to review pursuant these sections of the FMC.

1) BUILDING HEIGHT

- a) The maximum allowable building height shall not exceed 60 feet. Exhibit E depicts the highest design element of the grouping of buildings as 38 feet, which is approved as part of this application.
- b) All final elevations are subject to review and approval by the Development and Resource Management Department.

2) LOT COVERAGE

- a) There is no maximum lot coverage.

3) BUILDING SETBACK, OPEN SPACES AND LANDSCAPING

- a) Provide the following minimum building setbacks:
- (i) Front setback is not required as the abutting street is not a major street (H Street is classified as a local street);
 - (ii) Side and rear setbacks not required, as no property zoned or planned for residential use is adjacent to the subject property.

- b) Provide the following minimum landscaped areas:
- (iii) No landscaping is required in setbacks, because no setbacks are required. However street trees and shading is required. Landscaping shown on Exhibit L complies with requirements.
- c) Clearly identify all condensing units, air conditioning and heating units on the site and elevation plans.
- d) No structures of any kind (*including signs and/or fences*) may be installed or maintained within the above-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street frontages of the buildings. All transformers, etc., shall be shown on the site plan. The backflow device shall be screened by landscaping or such other means as may be approved. **(Include this note on the site plan.)**
- e) The number of trees will be determined by the following formula:
- (i) Provide one medium size tree (30 to 60 feet at maturity) for every two parking spaces (*Section 12-306-N-24-g-3 of the FMC*).
 - 3 parking spaces provided/ 2= 1 medium sized trees required on-site for the proposed project
 - Provide a total of **2** medium sized trees on-site and **22** street trees on street frontages pursuant to the attached memorandum from H. Kimber, Dept. of Public Works, dated October 10, 2010.
 - (ii) NOTE: Two small trees (15-30 feet at maturity) shall be counted as one medium-sized tree.
- f) Provide shade calculations on the landscape plan for parking lot shading in accordance with the attached *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts.
- g) Disperse trees over the parking lot area to provide 50 percent shading of the parking area surface within 15 years. (This requirement may be reduced to 40 percent for existing development if it is demonstrated that the constraints of an existing site would make it impossible to meet the normal standards.) Trees shall also be planted in the required landscaped area along the periphery of the development in order to shade and enhance adjacent property and public rights-of-way. Refer to the attached "Performance Standards for Parking Lot Shading," for the tree list and further details.
- h) Trees shall be maintained in good health. However, trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the

health of the tree and public safety; or as may otherwise be approved by the Development and Resource Management Department. **(Include this note on the site and landscape plans.)**

- i) Submit three copies of landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees, to the Development Services Division. These plans must be reviewed and approved prior to obtaining building permits.
 - j) Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division. **(Include this note on the site and landscape plans.)**
 - k) Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development Department. **(Include this note on the site and landscape plans.)**
- 4) SPACE BETWEEN BUILDINGS
- a) There is no space requirement.
- 5) FENCES, HEDGES, AND WALLS
- a) Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.
 - b) Only those fences as shown on the site plan shall be reviewed for approval. All fencing must comply with Condition No. 5 in the memo from the Redevelopment Agency dated September 9, 2010, attached.
 - c) Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation. **(Include this note on the site plan.)**
- 6) OFF-STREET PARKING
- a) For uses listed in Section 12-225.1-B and 12-226.1-B, the provisions of Section 12-222.5-I, "C-6" District, shall apply, which are 1 square foot of floor area requires 1 square foot of parking area.

Office uses are listed in Section 225.1-B, therefore 400 square feet of proposed office

space = 400 square feet of parking area/370 parking spaces = 1 parking space.

For all other uses there shall be one (1) off-street parking space for each two (2) permanent employees. Such space shall be located within three hundred (300) feet of the property served. In addition, there shall be at least one (1) parking space for each truck operated by the concern and one (1) parking space for each sales person permanently employed.

The proposed site will have no permanent staff, but will be visited by no more than two staff per day at any given time. Therefore one (1) additional parking space is required.

Total parking required for the site: two (2) spaces.

- b) Future tenant improvements and/or changes of occupancy shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
- c) The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
- d) A minimum of 1 automobile handicap parking stall is required for the proposed office building per State of California Building Code, "Development Requirements for Handicapped Accessibility." Exhibit A, dated November 8, 2010, depicts 2 handicap parking stalls to service the new project, which meets the minimum requirement.
- e) All handicapped stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
- f) All handicapped parking stalls shall be placed adjacent to facility access ramps or in strategic areas where the handicapped shall not have to wheel or walk behind parked vehicles while traveling to or from handicapped parking stalls and ramps. **(Include this note on the site plan.)**
- g) Lighting where provided to illuminate parking, sales or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. **Depict all proposed lights on the site plan.**
- h) A minimum of 1 bicycle parking space shall be provided for the proposed project pursuant to Section 12-306-l-2.1c of the FMC. Bicycle parking spaces shall each consist of one slot in a bike rack. They shall be grouped in racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock,

and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches or more than three in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.

(i) Depict the proposed bicycle parking space on the site plan prior to issuance of building permits.

- i) All general provisions of Section 12-306-I of the FMC shall apply to all parking areas.

7) LOADING SPACE REQUIREMENTS

- a) No loading space requirements.

8) ACCESS

- a) There shall be adequate vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading.
- b) Vehicular and/or pedestrian access shall be provided and shall remain clear at all times.

9) ADDRESSING

- a) The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Development and Resource Management Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'**. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.
- b) The official address of the proposed office is **401 H Street**.

10) NOISE

- a) Pursuant to Section 10-102.b of the FMC and the 2025 Fresno General Plan policies, noise levels for industrially zoned properties shall not exceed 70 decibels measured at the nearest subject property line. Future uses and/or development shall be required to comply with this provision. **(Include this note on the site plan.)**

11) OUTDOOR ADVERTISING

- a) Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
- b) All proposed signs shall conform to the current sign ordinance. Applications for a sign permit and requirements for submittal are available at the Development Services Division's Public Front Counter.
- c) All signs shall be architecturally compatible with the proposed buildings.

12) ENVIRONMENTAL COMPLIANCE

- a) Comply with all required mitigation measures of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR 10130) Mitigation Monitoring Checklist dated August 17, 2009 (attached).

PART E – CITY AND OTHER SERVICES

1) BUILDING AND SAFETY SERVICES

- a) Comply with the attached City of Fresno Building and Safety memorandum dated August 27, 2010;

2) FIRE PROTECTION

- a) Comply with the attached City of Fresno Fire Department memorandum dated September 10, 2010;

3) SOLID WASTE MANAGEMENT

- a) Comply with the attached Department of Public Utilities-Solid Waste Division memorandum dated August 30, 2010.

4) STREET TREES

- a) Comply with the attached Department of Public Works-Engineering Division memorandum dated October 10, 2010.

5) DEPARTMENT OF PUBLIC UTILITIES

- a) Comply with the attached Department of Public Utilities memoranda related to sewer and water service dated September 9, 2010.

6) POLICE DEPARTMENT

- a) The City of Fresno Police Department provided no comments at this time.

7) DEPARTMENT OF TRAFFIC ENGINEERING

- a) Comply with the attached Public Works-Traffic Engineering memorandum dated September 7, 2010 revised on November 16, 2010.

8) FRESNO REDEVELOPMENT AGENCY

- a) Comply with attached memo from the Fresno Redevelopment Agency dated September 9, 2010.

9) CALTRANS

- a) Caltrans provided no comments at this time.

10) FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

- a) Comply with the attached memo dated November 3, 2010 from the FMFCD, and with the Exhibit dated November 4, 2010.
- b) Pay required drainage fee in the amount of \$25,199.00 (fees are updated annually; check amount prior to building permits).

11) FRESNO COUNTY ENVIRONMENTAL HEALTH

- a) Comply with the attached letter from the Fresno County Environmental Health Department dated August 30, 2010.

12) FRESNO IRRIGATION DISTRICT

- a) FID provided an informational letter dated September 8, 2010.

13) PG&E

- a) Pacific Gas & Electric provided no comments at this time

14) SAN JOAQUIN AIR POLLUTION CONTROL DISTRICT

- a) Comply with the letter from The San Joaquin Valley Air Pollution Control District dated September 1, 2009.

15) SCHOOL FEES

- a) Fresno Unified School District had no comment on the project.

PART F – MISCELLANEOUS

- 1) Approval of this site plan is contingent upon the submittal of corrected exhibits showing all existing/proposed on-site conditions as reflected on all exhibits (dated November 8, 2010) and the following:
 - a) Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
 - b) If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
 - c) If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**
 - d) If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
 - e) Because the project is a city project and is located along a bike trail, it is recommended that public art be incorporated into the project.

All discretionary condition of approval will ultimately be deemed mandatory unless appealed in writing to the Development and Resource Management Department Director within 15 days.

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-10-179

Building & Safety Services - Architect

Return Completed Form to:

Sophia Pagoulatos
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno Department of Public Utilities/Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41. The applicant proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square-foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2 (*General Industrial*).

APN: 467-020-49MU, 52ST, 53MU

ZONING: M-2

ADDRESS: 401 H Street

DATE ROUTED: August 27, 2010

COMMENT DEADLINE: September 7, 2010

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

*Plans & Permits
Req'd for work shown*

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:

Yegor D. Delashian

Name and Title

8156

Telephone Number

8.27.10

Date

City of



FIRE DEPARTMENT

Date: September 10, 2010

To: SOPHIA PAGOULATOS, Planner III
Planning and Development Department , Advance Planning

From: DARLA SCOTT, Senior Fire Prevention Inspector
Fire Department, Fire Prevention and Investigation Division

Subject: C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno, Department of Public Utilities, Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41, 401 H Street, APN 467-020-49MU, 52ST, 53MU. The applicant proposes the construction of a three million gallon, 3MG, water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2, General Industrial.

General

All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus due to rain or other obstacles. All required fire access lanes shall be provided and maintained with an approved 'all weather' surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-round and with 24 feet minimum width or other approved method that would prevent shoulder degradation.

Streets designated on the plans as fire lanes need to be identified by red curbs with "Fire Lane" in 3 inch white letters every 50 feet or approved signs every 50 feet, as provided in the California Vehicle Code, Section 22500.1.

All gates on common access drives shall be equipped with approved Police/Fire bypass locks (BEST LOCKS: Padlock 21B700 series or Cylinder lock 1W7B2). Gates/fences shall not obstruct the minimum width required for fire lanes.



DEPARTMENT OF PUBLIC UTILITIES



Date: August 30, 2010

To: SOPHIA PAGOULATOS, Planner III
Planning and Development Department, Advance Planning

From: CHRIS WEIBERT, Management Analyst II
CW Public Utilities Department, Administration

Subject: C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno, Department of Public Utilities, Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41, 401 H Street, APN 467-020-49MU, 52ST, 53MU. The applicant proposes the construction of a three million gallon, 3MG, water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2, General Industrial.

Does Project Affect Your Agency/Jurisdiction

Yes - Project will be serviced by Solid Waste Division

Suggestions to Reduce Impacts/Address Concerns

Enclosure not shown to current standard. Depict walls, curbs, and gates as shown on specifications.
Enclosure shall be constructed on a level surface.

Recommended Conditions of Approval

Project will be serviced by Solid Waste Division.
Enclosure shall be built in accordance with current Solid Waste standards.
Two cell trash enclosure required.

Additional Information

Location of enclosure is acceptable
Revise plans to address concerns stated above and resubmit for approval.



DEPARTMENT OF PUBLIC UTILITIES



Providing Life's Essential Services

Date: September 9, 2010

To: SOPHIA PAGOULATOS, Supervising Planner
Planning and Development Department

From: GREG CONTRERAS, Senior Engineering Technician *GC*
Department of Public Utilities, Planning and Engineering

Subject: SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-10-179

General

C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno, Department of Public Utilities, Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41, 401 H Street, APN 467-020-49MU, 52ST, 53MU. The applicant proposes the construction of a three million gallon, 3MG, water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2, General Industrial.

Environmental Recommendations

A NEGATIVE DECLARATION MAY BE ISSUED: The project may have adverse impacts but impacts can be mitigated without further study or are not serious enough to warrant an Environment Impact Report.

Sanitary Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 27-inch main located in H Street. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of sewer house branch(s) shall be required.
2. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Sewer Facility Charge (Non-Residential)

2. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Section 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.

3. Sewer Facility Charges are collected after occupancy on a bi-monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.



DEPARTMENT OF PUBLIC UTILITIES



Providing Life's Essential Services

Date: September 9, 2010

To: SOPHIA PAGOULATOS, Supervising Planner
Planning and Development Department

From: GREG CONTRERAS, Senior Engineering Technician *GC*
Department of Public Utilities, Planning and Engineering

Subject: WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-10-179

General

C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno, Department of Public Utilities, Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41, 401 H Street, APN 467-020-49MU, 52ST, 53MU. The applicant proposes the construction of a three million gallon, 3MG, water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2, General Industrial.

Environmental Recommendations

A NEGATIVE DECLARATION MAY BE ISSUED: The project may have adverse impacts but impacts can be mitigated without further study or are not serious enough to warrant an Environment Impact Report.

Water Requirements

Water facilities are available to provide service to the site subject to the following requirements:

1. Installation of water service & meter box shall be required.

Water Fees

The following Water Connection Charges are due and shall be paid for the Project:

1. Wet-tie(s), water service(s) and/or meter(s) installation(s)

DEPARTMENT OF PUBLIC WORKS

TO: **Sophia Pagoulatos, Planning Manager**
Planning Division

FROM: **Hilary Kimber, Parks Supervisor II (559-621-1345)**
Public Works, Engineering

DATE: October 10, 2010

SUBJECT: SITE PLAN REVIEW NO. C-10-179

The Department of Public Works offers the following comments regarding 401 'H' Street (APN: 467-020-49MU; 52ST;53MU) located on the southwesterly side of 'H' Street and abutting the Union Pacific Railroad tracks on site plans by Quad Knopf for a City of Fresno Water Storage Facility:

GENERAL REQUIREMENTS

1. The Public Works Department requires one street tree for every 24 lineal feet of street frontage. There are approximately 530 lineal feet of street frontage along 'H' St. resulting in the requirement of twenty two (22) street trees. The proposed site plan has eight (8) Pistacia chinensis 'Keith Davey' (Chinese Pistache) and seven (7) Zelkova serrata 'Green Vase' (Sawleaf Zelkova) located in 4' x 4' tree wells for a total of sixteen (16) street trees. NOTE: THE City of Fresno standard for tree wells is 4' x 6' (as noted in redline on the plans).
2. The site plan also indicates three (3) onsite Chinese Pistache and three (3) Sequoia's within ten feet of the back of the monolithic sidewalk. These trees will also count towards the street tree requirement as onsite trees in-lieu-of street trees.
3. Combining the trees in the tree wells with the onsite trees in-lieu-of street trees, the total tree count is twenty two (22) which meets the Public Works requirements for street trees.
4. Public Works requires landscape and irrigation plans within the rights-of-ways and the locations where trees are planted onsite in-lieu-of street trees, at the scale of 1"=20 to be submitted prior to the installation of any landscaping. All irrigation plans must comply with the State Water regulations AB 1881 and a Document Package must accompany the designs.



DATE: September 7, 2010 **Revised November 16, 2010**
TO: Sophia Pagoulatos, Development Services/Planning
Planning and Development Department, Planning Division
FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Engineering Division
THROUGH: Louise Gilio, Traffic Planning Supervisor
Public Works Department, Engineering Division
SUBJECT: Conditions of Approval for **C-10-179**
APN: 467-050-52ST
ADDRESS: 401 H Street

PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to **Ann Lillie at (559) 621-8690 / ann.lillie@fresno.gov**, Engineering Division, Traffic Planning Section.

Submit the following, as applicable, in a single package to the City of Fresno Public Works Department Engineering Division (559-621-8650), Plan Check and GIS Mapping Section and Traffic Engineering, for review and approval, **prior** to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Signal Plans.

When preparing Street Plans and/or Traffic Control Plans for projects in the City of Fresno contact Traffic Engineering (Randy Schrey) in advance to make sure that sidewalks or an approved accessible path remain open during construction.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 12-1011 and Resolution No. 78-522/88-229.

Survey Monuments and Parcel Configuration

All survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

Street Dedications, Vacations and Encroachment Permits

Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way. Also, identify the required 4' minimum path of travel along the public

sidewalk directly in front of property, as required by the California Administration Code (Title 24). **A pedestrian easement may be required if Title 24 requirements cannot be met.**

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

Street Improvements

All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed for Collectors and **55 MPH** for Arterials. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Contact the City of Fresno Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the city **prior** to occupancy.

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

H Street: Local (80')

1. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **14'** commercial pattern. **Maintain 9.5' minimum clear path of travel along entire frontage of site.** Construct **4' x 6'** tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, **Section 26-2.11(C)**.
2. Provide a **9.5'** clear path of travel within the **14'** sidewalk pattern.
3. Construct **30'** driveway approaches to Public Works Standard(s) **P-2** and **P-6 -4**. **The proposed modified wing/ramps shall meet 8.33% maximum slope and as approved by the City Traffic Engineer.**
4. Construct an underground street lighting system to Public Works Standards **E-28, E-29, and E-30** or as approved by the **Traffic and Engineering Services Division** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-9** for Local Streets.
5. All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such areas shall be reconstructed with curb, gutter, and sidewalk to match existing adjacent street improvements. This work shall be completed and accepted **before** a Permit of Occupancy is issued or the building is occupied per Fresno Municipal Code (FMC) 11-209.
6. The City of Fresno is currently working on a Bicycle, Pedestrian and Trails Master Plan. H Street is planned for a future bikeway. To accommodate a Class I bikeway, the minimum clearance needed would be 8' with 2' clear on each side for a total of 12' with no obstructions. Within the existing 14' pattern, driveways, street lights, fire

hydrants, street trees, etc. appear to be in conflict with the future trail and the site plan would need to be redesigned. Another option might be providing Class I bike lanes within the street once the Monterey Bridge Structure is removed. Exact design parameters to be approved by the City Traffic Engineer.

Off-Street Parking Facilities and Geometrics

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) **P-21 41, P-22 42, P-23 43**.
2. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**.

Traffic Impact Study

A Traffic Impact **Study is not required.**

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO
2344 Tulare Street, Suite 200, Fresno, CA 93721 (559) 621-7600

Application No.: C-10-179 (Sophia Pagoulatos)
Assessor Parcel No.: 467-020-49MU, 52ST, 53MU
Site address: 401 "H" Street
Redevelopment Area: Chinatown Expanded

Date: 9/9/2010
Reviewer: Terry Cox,
Project Manager/
Management Analyst III
Telephone: 621-7622

Agency Staff Recommendation:

APPROVE PROJECT WITH THE FOLLOWING CONDITIONS:

1. The property identified in Application No. C-10-179 is located within the adopted Chinatown Expanded Redevelopment Plan area and is subject to all requirements of the Redevelopment Plan.
2. The Redevelopment Agency does not object to the proposed construction of a three million gallon water storage tank with an 8,700 square foot operations building, treatment components, associated water system improvements, and future three million gallon tank and well on the vacant 3.64 acres site. Agency support of this project is conditioned on the ability of the development to be in conformance with all requirements of the Redevelopment Plan and the M-2 (General Industrial) zone district and Section 12-304 (including subsequent applicable Sections of the Fresno Zoning Ordinance).
3. The project shall be developed in accordance with the Operational Statement, Site Plan, and Landscape Plan (or as revised by the City of Fresno) submitted for Conditional Use Permit Application No. C-10-179.
4. The project shall also be subject to and be in conformance with the requirements of the Industrial Development Design Guidelines as applicable.
5. All fences within 45 feet and visible from a public street shall be constructed of wrought iron, except the gates on a trash enclosure, per the Industrial Development Design Guidelines.
6. All outdoor (building materials) storage areas and any permanent (stationary) equipment located outdoors shall be screened in conformance with requirements of both the Fresno Zoning Ordinance and Agency Industrial Development Design Guidelines.
7. The use of dense landscaping is encouraged along "H" Street to facilitate and soften its visual impact.
8. The City of Fresno and Redevelopment Agency shall be informed of any deviation from the conditions of this Entitlement or the Statement of Operations.

PLEASE MAKE APPLICANT AWARE OF AGENCY COMMENTS

FRE-41-a-581

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-10-179

Return Completed Form to:
Sophia Pagoulatos
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno Department of Public Utilities/Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41. The applicant proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square-foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2 (*General Industrial*).

APN: 467-020-49MU, 52ST, 53MU

ZONING: M-2

ADDRESS: 401 H Street

DATE Routed: August 27, 2010

COMMENT DEADLINE: September 7, 2010

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

9/2/10
No Comment

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY: Jennifer Bryan-Sanchoz Assoc. Trans. Planner ^{Caltrans}
Name and Title Telephone Number Date
488-7307

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

SOPHIA PAGOULATOS
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

CESAR ROMERO P.E., CITY OF FRESNO WATER
DIVISION
1910 E. UNIVERSITY AVE.
FRESNO, CVA 93703

FR CUP No. 2010-179R

PROJECT NO: 2010-179R

ADDRESS: 401 "H" STREET

APN: 467-020-39U

SENT: 11/3/10

Drainage Area(s)	Preliminary Fee(s)
III	\$25,199.00
TOTAL FEE: \$25,199.00	

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/11 based on the site plan submitted to the District on 9/14/10 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

Approval of this development shall be conditioned upon compliance with these District Requirements.

- 1. a. Drainage from the site shall BE DIRECTED TO "H" STREET.
- b. Grading and drainage patterns shall be as identified on Exhibit No.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

FR
CUP No. 2010-179R

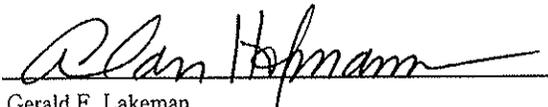
- c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
Developer shall construct facilities as shown on Exhibit No. 1 as "Master Plan Facilities to be constructed by Developer".
 X None required.
3. The following final improvement plans shall be submitted to the District for review prior to final development approval:
 X Grading Plan
 X Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Other
 None Required
4. Availability of drainage facilities:
 X a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available. TEMPORARY SERVICE IS AVAILABLE THROUGH
 d. See Exhibit No. 2.
5. The proposed development:
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 X Does not appear to be located within a flood prone area.
6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

FR
CUP
No. 2010-179R

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Gerald E. Lakeman
District Engineer


Rick Lyons
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

AMBER ADAMS, QUAD KNOPF, INC.

6051 N. FRESNO STREET

FRESNO, CA 93710

FR CUP No. 2010-179R

OTHER REQUIREMENTS
EXHIBIT NO. 2

If the City desires to discharge water other than storm drainage runoff into the FMFCD system, then an NPDES permit is required and the City and District must amend their well discharge agreement to include this storage tank site. The agreement includes the obligation for the City to provide a control valve with access to FMFCD.

The City must notify the District seven (7) days prior to any discharge from the site. Any site discharge is subject to District approval and is based on current basin capacity and other operational issues that could be affected by such discharge. Development water or site discharge may not be discharged to the District from November 1st to April 1st without mitigation. No sands or silts shall be discharged into the District's system. Provisions must be made to de-silt discharge water prior to entering the District's system.

In an effort to improve storm water runoff quality, outdoor storage areas shall be constructed and maintained such that material which generates contaminants will not be conveyed by runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be directed through landscaped areas or otherwise treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the District's system will not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements are attached.

Development No. CUP 2010-179Rev.



County of Fresno

Department of Public Health
Edward L. Moreno, M.D., M.P.H., Director-Health Officer

August 30, 2010

999999999
LU0015771
PE 2602

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

Dear Ms. Pagoulatos:

PROJECT NUMBER: C-10-129

Conditional Use Permit Application No. C-10-179 was filed by Amber Adams of Quad Knopf, Inc., on behalf of the City of Fresno Department of Public Utilities/Water Division, and pertains to 3.64 acres of property located on the southwesterly side of H Street, abutting the Union Pacific Railroad tracks between Ventura Street and State Route 41. The applicant proposes the construction of a three million gallon (3MG) water storage tank with an 8,700 square-foot operations building, treatment components, associated water system improvements, and future 3MG tank and well. The property is zoned M-2 (*General Industrial*).

APN: 467-020-49MU, 52ST, 53MU
ZONING: M-2
ADDRESS: 401 H Street

Recommended Conditions of Approval:

- Prior to placing the treatment facility into service, the City shall submit an amendment to their master Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. **Should gas chlorine be used, the amendment must provide detailed procedures for responding to a release of gaseous chlorine.** Contact the Hazardous Materials Disclosure/Registration Program at (559) 445-3271 for more information.

REVIEWED BY:

Glenn Allen

Digitally signed by Glenn Allen
DN: cn=Glenn Allen, o=Environmental
Health Division, ou=Public Health,
email=glenn.allen@fresnocounty.ca.us,
c=US
Date: 20100830 11:02:56 -0700

R.E.H.S., M.S.

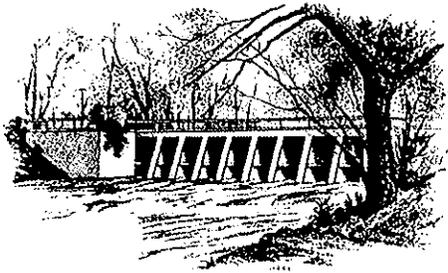
Supervising Environmental Health Specialist

(559) 445-3271

ga

cc: Vincent Mendes, Environmental Health Division (CT 5404)

C-10-179 City 3MG Water Tank



Your Most Valuable Resource - Water

OFFICES OF
FRESNO
IRRIGATION DISTRICT

PHONE (559) 233-7161
FAX (559) 233-8227
2907 SOUTH MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218

September 8, 2010

Ms. Sophia Pagoulatos
City of Fresno
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

RE: Conditional Use Permit C-10-179, S/W H and Ventura Streets

Dear Ms. Pagoulatos:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit C-10-179 where the applicant proposes the construction of a three million gallon water storage tank with an 8,700 square-foot operations building, treatment components, associated water system improvements, and future three million gallon tank and well, located southwest of H and Ventura Streets, APN: 467-020-49MU, 52ST, 53MU, and has the following comments:

1. FID does not own, operate or maintain any facilities located on the applicant's property as shown on the attached FID exhibit map.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact James Shields at 233-7161 extension 319 or jshields@fresnoirrigation.com.

Sincerely,

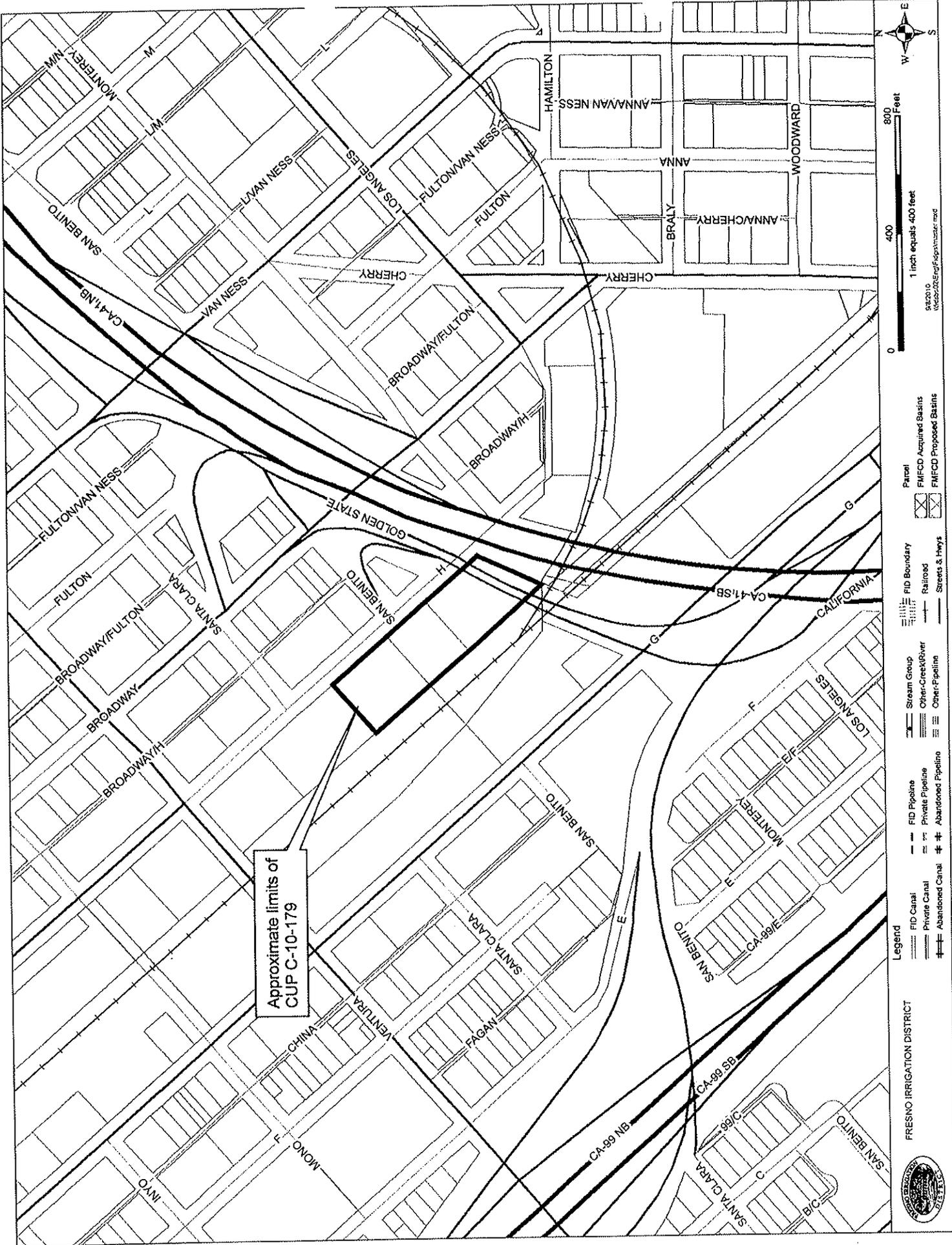
William R. Stretch, P.E.
Chief Engineer

Attachment

G:\Agencies\City\Conditional Use Permit\C-10-179.doc

BOARD OF
DIRECTORS

President JEFFREY G. BOSWELL, Vice-President JEFF NEELY
STEVE BALLS, RYAN JACOBSEN, GEORGE PORTER, General Manager GARY R. SERRATO



Approximate limits of
CUP C-10-179



8/3/2010
\\s20202\gpf\gpm\mstr.mxd

- Legend**
- FID Canal
 - Private Canal
 - Abandoned Canal
 - FID Pipeline
 - Private Pipeline
 - Abandoned Pipeline
 - Stream Group
 - Other-Creek/River
 - Other-Pipeline
 - FID Boundary
 - Railroad
 - Streets & Highways
 - Parcel
 - FMFCD Acquired Basins
 - FMFCD Proposed Basins

FRESNO IRRIGATION DISTRICT



September 1, 2009

Michael Carbajal
City of Fresno
Public Utilities – Water Division
1910 E. University Avenue
Fresno, CA 93721

Project: City of Fresno Three Million Gallon Water Storage Tank
District Reference No: 20090500

Dear Mr. Carbajal:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Initial Study and Finding of Conformity (IS/FOC) for the construction and operation of a three million gallon water storage tank and associated appurtenances. The buildout of the project will include the storage tank, booster pump station, electrical building, emergency backup generator, sodium hypochlorite injection system and water treatment equipment building, and office space. The District offers the following comments:

1. The Initial Study states the project will provide water supplies for existing and future redevelopment projects. Based on information presented in the initial study, all public works projects within the City of Fresno are subject to a discretionary approval process, the project would exceed 9,000 square feet of space, and the project would increase capacity of existing water supplies. As such, the proposed project is subject to District Rule 9510 (Indirect Source Review). Rule 9510 requires the submittal of an Air Impact Assessment (AIA) application to the District no later than seeking final discretionary approval and payment of applicable off-site mitigation fees prior to the issuance of the first grading or building permit. To help the City identify possible mitigation measures and avoid any delays in the project, the District recommends the City submit an AIA application as soon as possible. For more information regarding Rule 9510 please visit the District's website at <http://www.valleyair.org/ISR/ISRHome.htm>.

2. In addition to the rules identified in the Initial Study, the proposed project may be subject to the following District rules: Rule 2010 (Permits Required), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the City is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

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

Cc: File

Exhibit G
Environmental Assessment No. C-10-179

**FINAL
INITIAL STUDY/FINDING OF CONFORMITY**

**CITY OF FRESNO THREE MILLION GALLON
WATER STORAGE TANK**



August 2009



Quad Knopf

<p style="text-align: center;">CITY OF FRESNO</p> <p style="text-align: center;">NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY</p>	<p>Filed With:</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">FILED</p> <p style="text-align: center;">AUG 17 2009</p> <p style="text-align: center;">By <i>Maribel</i> FRESNO DIVISION CLERK DEPUTY</p>
<p>Project Title: City of Fresno Three Million Gallon Water Storage Tank</p>	
<p>Applicant: City of Fresno, Department of Public Utilities</p>	
<p>Project Location (including APN): 467-050-16U, 467-020-28U, and portions of 467-020-40U, 467-020-37MU, and 456-020-39U located at H Street and San Benito Streets in Fresno, California.</p>	
<p>Project Description:</p> <p>The proposed project consists of the construction and operation of a three-million gallon water storage tank, pipelines, and associated appurtenances on approximately 3.60 acres. The tank will be above ground, with a maximum height of approximately 32 feet, with a water depth of 30 feet and an inside diameter of 132 feet, and will be surrounded by other related structures or open space. All associated pumps, controls and utilities will be designed (programmed) and constructed. It should be noted that design of the tank is not final, and the tank may also be located partially, or fully underground.</p> <p>The proposed project will include a 10,000 gallon per minute (gpm) booster pump station, electrical building and emergency backup power diesel generator. The City intends to provide, as a future project, a facility for sodium hypochlorite storage and injection. Also included will be a substantial (likely 40' X 60' X 27' tall) operations and water treatment equipment building (WTEB). The WTEB will be designed to house up to six granular activated carbon (GAC) vessels. An office space will be provided with a sanitary sewer connection. Other nuisance-water drainages will be provided as required.</p> <p>The proposed project is a permitted use in the M-2 (General Manufacturing) district per City of Fresno Municipal Code Section 12-228.1. Development of the proposed project will allow the City of Fresno to provide reliable peak-hour water supplies to the downtown area for existing customers and future redevelopment projects. The proposed project will be capable of providing a peak-hour supply of 10,000 gallons per minute.</p> <p>The City of Fresno 2025 General Plan currently designates the project area as Commercial Mixed Use Level 2 (Central Area). The project parcels are currently zoned General Manufacturing (M-2). Surrounding land uses include general manufacturing to the northwest, northeast, and southeast, and a railway line (also in the M-2 zone) to the southwest.</p>	
<p>The Department of Public Utilities has prepared an initial study and environmental checklist and evaluated the proposed project in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master EIR No. 10130.</p> <p>The proposed project has been determined to be fully within the scope of MEIR No. 10130 as provided by the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC) Section 21157.1 (d) and the CEQA Guidelines Section 15177. The project is part of the City's Capital Improvement Program, which guides the funding and construction of all public improvements constructed by the City, and therefore is defined as a project within the scope of the Master EIR.</p>	

There is no substantial evidence in the record that the project may have additional significant effects on the environment that were not identified in the MEIR No. 10130 and that no new or additional mitigation measures will be required. In addition, pursuant to Public Resources Code, Section 21157.6 (b)(1), no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time the MEIR was certified as complete, has become available. Therefore, the Department of Public Utilities proposes to adopt a Finding of Conformity for this project.

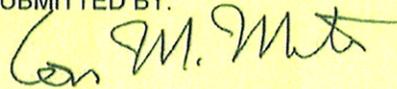
Additional information on the proposed project, including the proposed environmental finding and the initial study may be obtained from the City of Fresno – Department of Public Utilities, Water Division, 2600 Fresno Street, Fresno, California 93721. Please contact Michael Carbajal at (559) 621-5300 or via email at Michael.Carbajal@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted any time between the publication dates of this notice and close of business on September 15, 2009. Please direct comments to Michael Carbajal, City of Fresno Department of Public Utilities, 2600 Fresno Street, Fresno, California 93721; or by email at Michael.Carbajal@fresno.gov; or they can be sent by facsimile to (559) 488-1024.

This project and this proposed environmental finding have been tentatively scheduled to be heard by the City Council on September 17, 2009 at 8:30 a.m. or thereafter. This hearing will be held in the Fresno City Council Chambers, located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:
Quad Knopf, Inc.

SUBMITTED BY:



DATE: 8/13/09

Lon Martin, Assistant Director of the Department of
Public Utilities

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT / INITIAL STUDY
FINDING OF CONFORMITY / MEIR NO. 10130**

<p>Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan.</p>	<p>DATE RECEIVED FOR FILING</p>
<p align="center">Initial study is on file in the Department of Public Utilities, City Hall 2600 Fresno Street, Fresno, California 93721 (559) 621-8277</p>	
<p>Applicant: City of Fresno</p>	<p>Initial Study Prepared By: Quad Knopf, Inc August 7, 2009</p>
<p>Environmental Assessment Title: City of Fresno Three Million Gallon Water Storage Tank</p>	<p>Project Location (including APN): 467-050-16U, 467-020-28U, and portions of 467-020-40U, 467-020-37MU, and 456-020-39U located at H Street and San Benito Streets in Fresno, California.</p>

Project Description:

The proposed project consists of the construction and operation of a three-million gallon water storage tank, pipelines, and associated appurtenances on approximately 3.60 acres. The tank will be above ground, with a maximum height of approximately 32 feet, with a water depth of 30 feet and an inside diameter of 132 feet, and will be surrounded by other related structures or open space. All associated pumps, controls and utilities will be designed (programmed) and constructed. It should be noted that design of the tank is not final, and the tank may also be located partially, or fully underground.

The proposed project will include a 10,000 gallon per minute (gpm) booster pump station, electrical building and emergency backup power diesel generator. The City intends to provide, as a future project, a facility for sodium hypochlorite storage and injection. Also included will be a substantial (likely 40' X 60' X 27' tall) operations and water treatment equipment building (WTEB). The WTEB will be designed to house up to six granular activated carbon (GAC) vessels. An office space will be provided with a sanitary sewer connection. Other nuisance-water drainages will be provided as required.

Approved pump manufacturers and specific pump size will be determined later in the design process. In addition, anticipated friction losses in the distribution system resulting from the operation of the booster facility will be considered during design process, as will the water main needed to fill the proposed water tank and the discharge from the booster facility to Ventura Street. The proposed storage tank will initially be filled from the existing distribution system during off peak hours. Ultimately, the tank will be filled from a 24" water line from Pump Station 172. Neither the location nor the design of the 24" water line has been completed and, although impacts are anticipated to be less than significant, it is speculative at this time to analyze the environmental impacts of the water line. Prior to construction, the water line project will be required to go through the CEQA process to address construction and operational impacts. Filling of the tank will occur during off peak hours from the west Fresno location (PS 172). The filling will not result in an increase in pumping beyond what PS 172 was designed and built for and therefore will not increase water use beyond that already planned for when PS 172 was constructed. The tank facility will be designed to accommodate the existing public sewer mains in H Street and within the property of the proposed project. The sewer mains will remain to avoid reconstruction and reversing flow to Ventura Street.

The proposed project is a permitted use in the M-2 (General Manufacturing) district per City of Fresno Municipal Code Section 12-226.1. Development of the proposed project will allow the City of Fresno to provide reliable peak-hour water supplies to the downtown area for existing customers and future redevelopment projects. The proposed project will be capable of providing a peak-hour supply of 10,000 gallons per minute.

The City of Fresno 2025 General Plan currently designates the project area as Commercial Mixed Use Level 2 (Central Area). The project parcels are currently zoned General Manufacturing (M-2). Surrounding land uses include general manufacturing to the northwest, northeast, and southeast, and a railway line (also in the M-2 zone) to the southwest.

Conformance to Master Environmental Impact Report (MEIR NO. 10130):

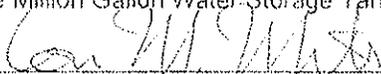
The 2025 Fresno General Plan, adopted by the City Council in November 2002, designates the projected growth in the City of Fresno and those public improvements to be provided to serve the community through the year 2025. The Project is consistent with the General Plan's E-22 Objective: to manage and 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. The project is also consistent with MEIR No. 10130 Mitigation Measure No. D-2 which states "The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan Boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands."

The Department of Public Utilities has prepared an initial study and environmental checklist and evaluated the proposed project in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master EIR No. 10130.

The proposed project has been determined to be fully within the scope of MEIR No. 10130 as provided by the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC) Section 21157.1 (d) and the CEQA Guidelines Section 15177. The project is part of the City's Capital Improvement Program, which guides the funding and construction of all public improvements constructed by the City, and therefore is defined as a project within the scope of the Master EIR.

Based on the initial study, there is no substantial evidence in the record that the project may have additional significant effects on the environment that were not identified in the MEIR No. 10130 and that no new or additional mitigation measures will be required. In addition, pursuant to Public Resources Code, Section 21157.6 (b)(1), no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time the MEIR was certified as complete, has become available.

Moreover, as lead agency for this project, the City of Fresno Department of Public Utilities, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions). Accordingly, a Finding of Conformity for Environmental Assessment for the City of Fresno Three Million Gallon Water Storage Tank is recommended for adoption.


Lon Martin, Assistant Director of the Department of Public Utilities
Date: 8/13/09

Attachments: Initial Study - City of Fresno Three Million Gallon Water Storage Tank
Mitigation Monitoring Checklist MEIR No. 10130

INITIAL STUDY/
FINDING OF CONFORMITY

**CITY OF FRESNO
THREE MILLION GALLON
WATER STORAGE TANK**

Prepared for:
City of Fresno
Department of Public Utilities - Water Division
1910 East University Avenue
Fresno, California 93703
Contact Person: Michael Carbajal
Phone: (559) 621-5300
Fax: (559) 488-1024

Consultant:



Quad Knopf

P.O. Box 3699
Visalia, California 93278
Contact: Travis Crawford
Phone: (559) 733-0440
Fax: (559) 627-2336

August 2009

TABLE OF CONTENTS

Section One – Introduction

1.1	Purpose and Authority	1-1
1.2	Background/CEQA Requirements	1-1
1.3	Assumptions and Relationship to Existing Documents	1-3
1.4	Document Organization and Contents	1-4

Section Two – Project Description

	Introduction	2-1
	Project Background	2-1
	Project Location	2-2
	Project Description	2-5

Section Three – Environmental Checklist

	Aesthetics Discussion	3-5
	Agriculture Discussion	3-9
	Air Quality Discussion	3-11
	Biological Resources Discussion	3-20
	Cultural Resources Discussion	3-21
	Geology/Soils Discussion	3-26
	Hazards/Hazardous Materials Discussion	3-30
	Hydrology/Water Quality Discussion	3-38
	Land Use/Planning Discussion	3-44
	Mineral Resources Discussion	3-47
	Noise Discussion	3-49
	Population and Housing Discussion	3-53
	Public Services Discussion	3-55
	Recreation Discussion	3-57
	Transportation/Traffic Discussion	3-59
	Utilities/Service Systems Discussion	3-63

Section Four – Mitigation Measure Checklist..... 4-1

Section Five – Persons and Documents Consulted..... 5-1

Section Six – List of Preparers..... 6-1

Appendices

A	Cultural Records Search
B	Phase I Environmental Site Assessment
C	Evaluation of Alternatives

LIST OF TABLES

<i>Table No.</i>	<i>Title</i>	<i>Page No.</i>
3-1	Blighting Conditions Survey.....	3-6
3-2	Mandatory Control Measures for Construction, Excavation, Extraction, and Other Earthmoving Activities	3-13
3-3	Estimated Noise Levels.....	3-51

LIST OF FIGURES

<i>Figure No.</i>	<i>Title</i>	<i>Page No.</i>
2-1	Regional Location.....	2-3
2-2	Vicinity Map	2-4
2-3	City of Fresno Zoning.....	2-6
2-4	City of Fresno General Plan Land Use Designations	2-7

SECTION ONE
INTRODUCTION

SECTION ONE – INTRODUCTION

1.1 Purpose and Authority

This Finding of Conformity is prepared pursuant to Section 15177 of the California Environmental Quality Act (CEQA) of 1970 and CEQA Guidelines, as amended. It assesses the environmental impacts resulting from the proposed construction of a three million gallon water tank, pipelines, and associated appurtenances in the City of Fresno. The purpose of the project is to construct a potable water storage tank and booster facility to support the aging downtown water system and fire flow for new development in the downtown area of the City of Fresno anticipated by the 2025 Fresno General Plan and the Central Area Community Plan.

The City of Fresno is the Lead Agency for the project as defined by CEQA. The Lead Agency is the public agency that has the principal responsibility for carrying out or approving a project that may have significant effects upon the environment.

The City of Fresno is located approximately 200 miles north of Los Angeles and 170 miles south of the state capital, Sacramento, in the Central Valley of California. Reference Figures 2-1 and 2-2 for regional and project vicinity maps.

1.2 Background/CEQA Requirements

2025 FRESNO GENERAL PLAN MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130

Staff has reviewed the above-referenced project proposal and consulted with affected agencies and interest groups. The proposed project has been evaluated with respect to the provisions of the adopted 2025 Fresno General Plan (City Council Resolution No. 2002-379) and the corresponding potential adverse environmental impacts, adopted environmental impact mitigation measures and determinations of overriding considerations established by the certification of the related Master Environmental Impact Report (MEIR) No. 10130 (City Council Resolution No. 2002-378). The proposed project has been determined to be fully within the scope of MEIR No. 10130 as provided by the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC) Section 21157.1 (d) and the CEQA Guidelines Section 15177. The project is part of the City's Capital Improvement Program, which guides the funding and construction of all public improvements constructed by the City, and therefore is defined as a project within the scope of the Master EIR.

Based upon an analysis of the project, as summarized in the following environmental assessment checklist, it has been determined that the project may contribute to the creation of certain environmental effects or the project may be adversely impacted by existing conditions as addressed below. However, these potential impacts have been determined to be equivalent to or less than those adverse impacts identified by MEIR No. 10130. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project, to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR No. 10130 as

provided by CEQA Section 15177(b)(3) and 15177(d). In addition, pursuant to Public Resources Code, Section 21157.6(b) (1), it has been determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined that the filing of a Finding of Conformity is appropriate in accordance with the provisions of CEQA Guidelines Section 15177.

MEIR No. 10130 examined the potential adverse environmental impacts of implementation of the 2025 Fresno General Plan, which provides plans and policies to accommodate projected population and employment growth through the year 2025. The City of Fresno has determined that specific economic, legal, social, technological and other considerations related to the implementation of the 2025 Fresno General Plan outweigh the unavoidable adverse environmental effects identified in the Final MEIR, including any effects not mitigated because of the infeasibility of mitigation measures and that the identified adverse environmental effects are considered acceptable.

The following impacts were identified by City Council Resolution No. 2002-378 certifying Final MEIR No. 10130 (2025 Fresno General Plan Update) as significant but mitigable effects:

1. Impact on Water Supply, Quality and Hydrology
2. Increased Demand for Utilities and Service Systems
3. Increased Demand for Public Services
4. Increased Demand for Recreational Services
5. Loss of Biological Resources
6. Potential Disturbance of Cultural Resources
7. Geology and Soils Impact
8. Increased Demand for Energy
9. Potential Aesthetic Concerns

In addition, Resolution No. 2002-378, also identifies the following unavoidable significant impacts and provides a statement of overriding considerations for these impacts:

Transportation and Circulation - The vehicular traffic levels of service (LOS) of E and F projected for identified major street segments are considered a significant and unavoidable adverse impact which can not be completely mitigated. Furthermore, there are no reasonable mitigation measures available to only the City of Fresno that would reduce this impact to a less than significant level while allowing for the implementation of other appropriate alternative transportation facilities.

Air Quality - The adverse air quality impacts associated with the myriad of activities associated with the long range general plan for the Fresno metropolitan area can be expected to be significant and unavoidable, and cannot be completely mitigated. Furthermore, there are no reasonable mitigation measures available only to the City of Fresno which would assure the reduction of air quality impacts to a less than significant level. In order to provide a suitable

living environment within the metropolitan area, the plan strives to facilitate expanded economic growth that will support increased employment opportunities.

Preservation of Agricultural Land - The conversion of agricultural land to urban uses within the planned boundary to accommodate the projected population and employment growth upon buildout of the 2025 Fresno General Plan is a significant and unavoidable adverse impact, which cannot be completely mitigated. Furthermore, there are no reasonable mitigation measures available only to the City of Fresno which would assure the reduction of impacts upon agricultural land within the planned urban area to a less than significant level, while also allowing for prudent planned development to accommodate project population and employment growth.

Noise - The innumerable activities associated with urban living environments typically generate noise that contributes to the ambient noise levels that occur within the community. The MEIR identifies numerous mitigation measures intended to reduce the impacts of increased noise upon sensitive land uses. The 2025 Fresno General Plan, as the project, also specifies numerous goals and implementing objectives and policies directed to reducing exposure to excessive noise levels. However, sufficient mitigation measures are not reasonably available only to the City of Fresno, which would assure the reduction of noise impacts to less than a significant level.

1.3 Assumptions and Relationship to Existing Documents

The environmental assessment checklist contained in Section Three includes a series of questions related to potential environmental effects that may occur above and beyond those already analyzed in the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 as a result of the proposed water tank project. In response to each question, the checklist provides a response and explanation. The responses and explanations are based upon the following assumptions:

Consistency with City Ordinances. The water tank project does not alter, amend, or conflict with any existing ordinances of the City that were adopted to protect the environment.

Project Specific Environmental Review. In the City of Fresno, all public works proposals are subject to a discretionary review process. The water tank project does not alter or amend the City's discretionary review process.

PREVIOUS ENVIRONMENTAL STUDIES, DECISION & DOCUMENTATION:

- Master Environmental Impact Report (MEIR) prepared and approved for the City of Fresno 2025 Fresno General Plan in May 2002.
- Environmental Impact Report prepared and approved for the Fresno Metropolitan Water Resources Management Plan in December 1995.

The proposed project site contains land currently designated as Commercial Mixed Use Level 2 (Central Area) City of Fresno General Plan and zoned M-2 (General Manufacturing), adjacent to areas zoned C-M (Commercial and Light Manufacturing). The proposed project will not require any zoning changes and is consistent with the General Plan's E-22 Objective: to 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. The project is also consistent with MEIR No. 10130 Mitigation Measure No. D-2 which states "The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan Boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands."

OTHER AGENCIES WHOSE APPROVAL IS REQUIRED:

- Department of Health Services and the Regional Water Quality Control Board (RWQCB)
- San Joaquin Valley Air Pollution Control District: dust control plan [Regulation VIII (Fugitive PM10 Prohibitions) Rules 8011-8081] and Rules 4107 and 4108 regarding use of emergency diesel generators.

1.4 Document Organization and Contents

The Finding of Conformity is organized as follows:

- Section 1** The Introduction section identifies the process, scope of environmental review, environmental procedures, and project assumptions.
- Section 2** The Project Description describes the proposed project and project design features. Additionally, a description of the overall purposes and objectives of the proposed project are included, together with a description of discretionary approvals and permits required for project implementation.
- Section 3** The Environmental Assessment Checklist Form and Analysis contains the City's Environmental Checklist and Initial Study Form, and the results of the environmental evaluation for the proposed project and issue areas are discussed.

SECTION TWO
PROJECT DESCRIPTION

SECTION TWO –PROJECT DESCRIPTION

Introduction

This document is an Initial Study and Finding of Conformity which analyzes the potential environmental effects of the construction and operation of a three-million gallon water storage tank, booster pump station, and appurtenances to support the aging downtown water system and fire flow for new development. Pursuant to Section 15063 of the CEQA Guidelines, the City of Fresno, Department of Public Utilities - Water Division has prepared this Initial Study/Finding of Conformity to determine whether the project will have a significant effect on the environment. The Initial Study Checklist, in Section Three, found that while there are potentially significant environmental impacts that may result from the project, they are mitigated to a less than significant level by the mitigation measures proposed by the 2025 Fresno General Plan Master EIR and applied to this project.

Project Background

Approximately four years ago, Public Utilities staff began exploring water supply options to adequately and efficiently increase water supply and fire suppression capability in the downtown area. The existing water system consists of five wells located within the downtown triangle. The highways that surround downtown limit the options for infrastructure improvement to increase supplies from outside the downtown area due to construction considerations attributed to crossing the highways. Existing groundwater contamination and proposed redevelopment activity has limited site acquisition for new water wells. Due to these limitations, Public Utilities has determined it is necessary to construct a potable water storage tank and booster. Development of the storage tank will not only create operational water storage but will also include emergency and fire storage for downtown. With the siting of the storage tank, staff will be able to properly plan and identify utility corridors necessary to convey larger volumes of water necessary to supply the existing downtown customers as well as fire flow for new development. Future distribution upgrades will then be conditioned upon and completed for redevelopment and/or new development activity.

In locating an appropriate storage tank site, staff originally identified a property in the China Town Revitalization Area. Due to the proposed redevelopment slated for that area, the Redevelopment Agency identified a site at Mono Street and Broadway Street within the South Stadium Redevelopment Area. This site was to be developed as a dual use City Park and storage tank site. The complexities involved in developing a dual use site within a proposed residential redevelopment caused the water storage tank to be proposed along H Street where it will border Highway 41 to the south and Union Pacific Railroad (UPRR) to the west. The proposed site is owned by UPRR and is being acquired by the City. It should be noted that the Grant Deed between UPRR and the City places limitations on the use of the subject property. The City may use the property for industrial, office, or retail-oriented commercial business only. The project is being funded by the City's Capital Improvement Program and Bond proceeds.

ALTERNATIVES ANALYSIS

The purpose of an alternatives analysis pursuant to CEQA is to identify options that would feasibly attain the project’s objectives while reducing the significant environmental impacts resulting from the proposed project. CEQA does not require that environmental documents, other than an Environmental Impact Report, include an alternatives analysis, because this Initial Study/Finding of Conformity concludes that, with mitigation measures outlined in the 2025 Fresno General Plan Master EIR applied to this project, there are no significant impacts resulting from the proposed project. However, the City of Fresno has considered site alternatives within this document. Please refer to Appendix C for the project alternatives analysis.

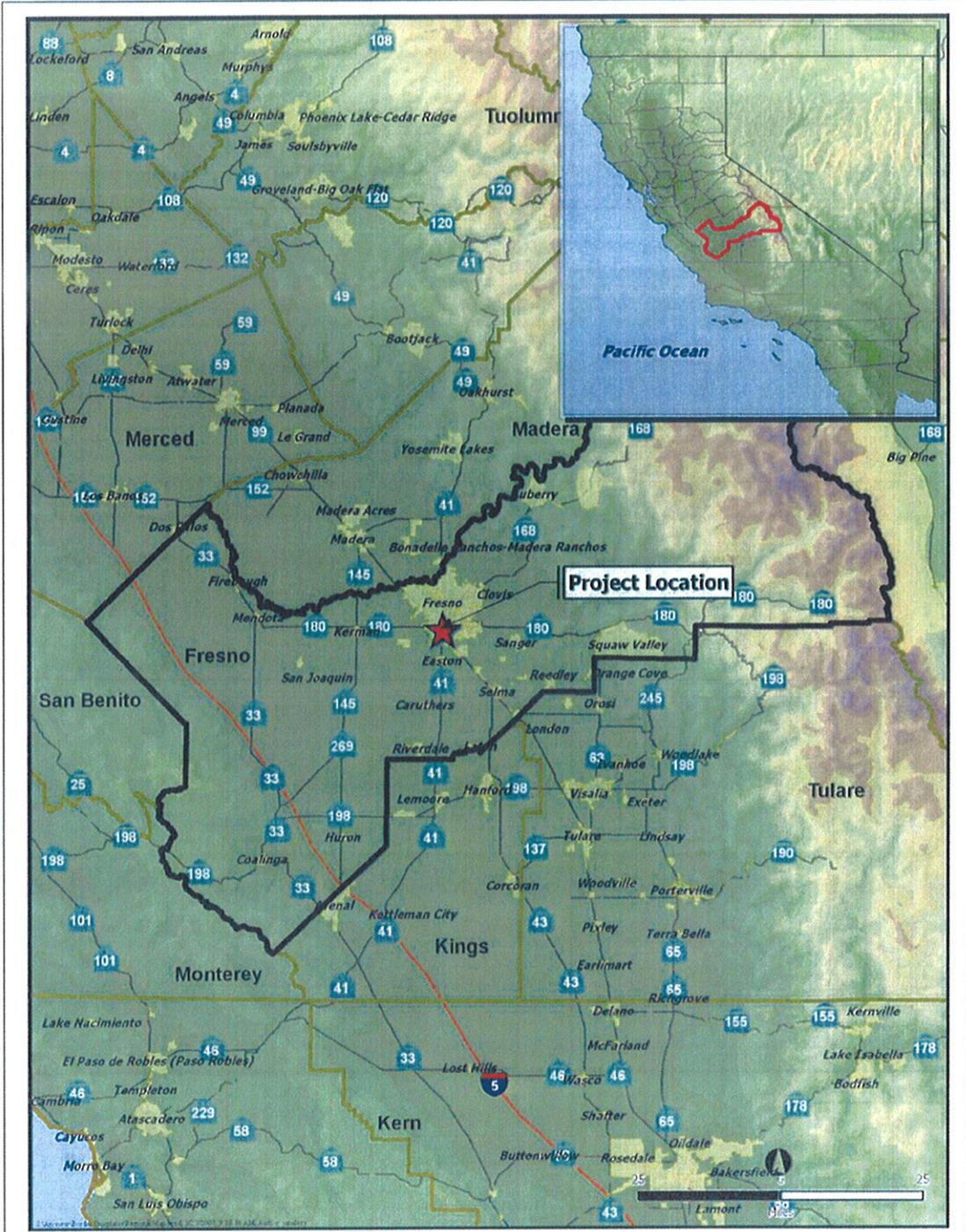
Project Location

The proposed project is located in Fresno County in the City of Fresno, Central Area (Figures 2-1 and 2-2). The project site is generally located on the southwest side of H Street and southeast of the railway line that runs between G Street and H Street, and northwest of San Benito Street, which serves as a frontage road to Highway 41. The property area is located in Fresno County Assessors Parcel Numbers (APNs) 467-050-16U, 467-020-28U, and portions of 467-020-40U, 467-020-37MU, and 456-020-39U located at H Street and San Benito Streets in Fresno, California. The project location is further described as Township 14 South, Range 20 East, Southwest ¼ of Section 10, Fresno South, CA Quad. The project, consisting of 3.60 acres, is located within the Central Area Community Plan boundary.

The City of Fresno 2025 General Plan currently designates the project area as Commercial/Mixed Use (Central Area). The project parcel is currently zoned General Manufacturing (M-2). Portions of the site are currently occupied by temporary homeless encampments, although it is anticipated that these areas will be vacated by June 30, 2009 as part of the City’s participation in the Homeless Prevention and Rapid Re-Housing Program.

Surrounding land uses are:

Location	Land Use	General Plan	Zoning
Onsite	General Manufacturing	Commercial Mixed Use Level 2 (Central Area)	M-2
North	General Manufacturing	Commercial Mixed Use Level 2 (Central Area)	M-2
South	General Manufacturing	Commercial Mixed Use Level 2 (Central Area)	M-2
		Commercial/Industrial (Central Area)	
East	General Manufacturing	Commercial Mixed Use Level 2 (Central Area)	M-2, M1
	Light Manufacturing	(Central Area)	
West	General Manufacturing	Commercial/Industrial (Central Area)	M-2



 Quad Knopf	REGIONAL LOCATION	Figure 2 - 1
---	-------------------	-----------------



Project Description

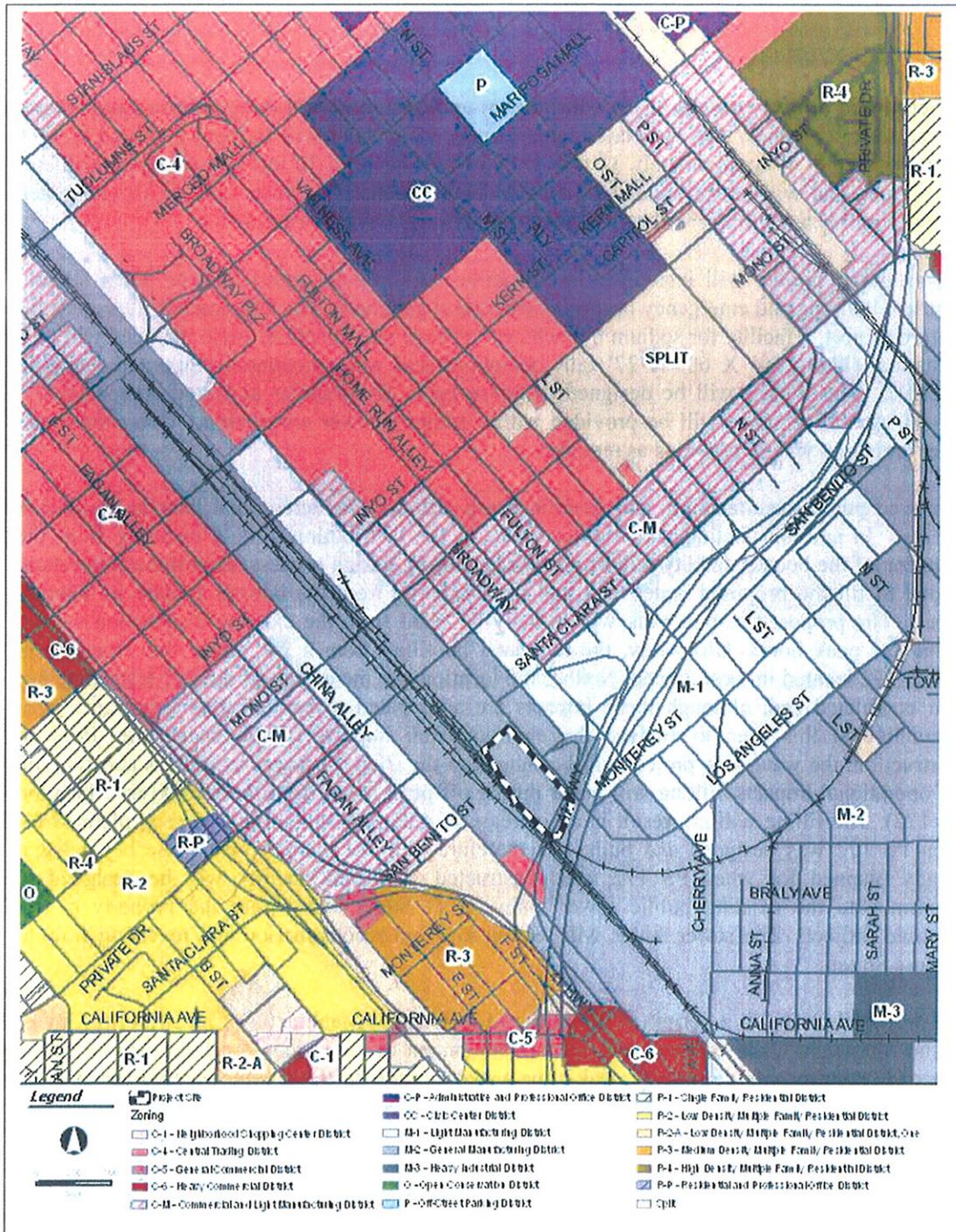
The proposed project consists of the construction and operation of a three-million gallon water storage tank, pipelines, and associated appurtenances. The tank will be above ground, with a maximum height of approximately 32 feet, with a water depth of 30 feet and an inside diameter of 132 feet, and will be surrounded by other related structures or open space. All associated pumps, controls and utilities will be designed (programmed) and constructed.

The proposed project will include a 10,000 gallon per minute (gpm) booster pump station, electrical building and emergency backup power diesel generator. The City intends to provide, as a future project, a facility for sodium hypochlorite storage and injection. Also included will be a substantial (likely 40' X 60' X 27' tall) operations and water treatment equipment building (WTEB). The WTEB will be designed to house up to six granular activated carbon (GAC) vessels. An office space will be provided with a sanitary sewer connection. Other nuisance-water drainages will be provided as required.

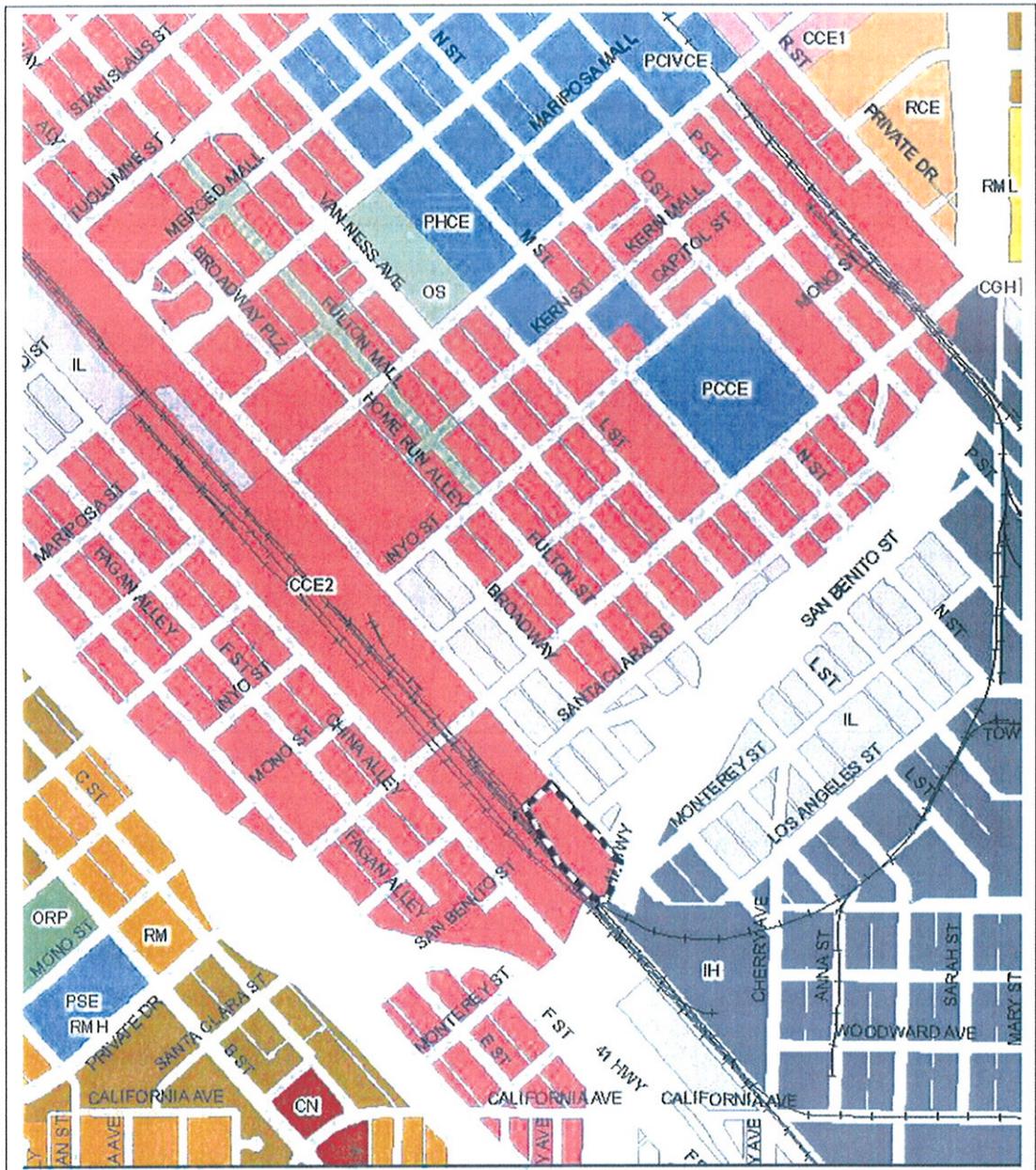
Approved pump manufacturers and specific pump size will be determined later in the design process. In addition, anticipated friction losses in the distribution system resulting from the operation of the booster facility will be considered during design process, as will the water main needed to fill the proposed water tank and the discharge from the booster facility to Ventura Street. The proposed storage tank will initially be filled from the existing distribution system during off peak hours. Ultimately, the tank will be filled from a 24" water line from Pump Station 172 located in west Fresno. Neither the location nor the design of the 24" water line has been completed and, although these impacts are anticipated to be less than significant, it is speculative at this time to analyze the environmental impacts of the water line. Prior to construction, the water line project will be subject to the CEQA process to address construction and operational impacts. Filling will occur during off peak hours from the west Fresno location (PS 172). The filling will not result in an increase in pumping beyond that already planned for when PS 172 was designed and built, and therefore will not increase water use beyond that already planned for when PS 172 was constructed. The tank facility will be designed to accommodate the existing public sewer mains in H Street and within the property of the proposed project. The sewer mains will remain to avoid reconstruction and reversing flow to Ventura Street.

The proposed project is a permitted use in the M-2 (General Manufacturing) district per City of Fresno Municipal Code Section 12-226.1. Development of the proposed project will allow the City of Fresno to provide reliable peak-hour water supplies to the downtown area for existing customers and future redevelopment projects. The proposed project will be capable of providing a peak-hour supply of 10,000 gallons per minute.

The City of Fresno 2025 General Plan currently designates the project area as Commercial Mixed Use Level 2 (Central Area). The project parcels are currently zoned General Manufacturing (M-2). Existing City zoning of the parcel and adjacent parcels is shown in Figure 2-3 and General Plan land use designations are shown in Figure 2-4. Surrounding land uses include general manufacturing to the northwest, northeast, and southeast, and a railway line (also in the M-2 zone) to the southwest.




CITY OF FRESNO ZONING
Figure 2 - 3



Legend		
Project Site	IL-1 Industrial - Light	P-CFCE Public Facility - Community Center
General Plan	IH Industrial - Heavy	P-CE Public Facility - Elementary School
CCE1 Commercial - Mixed Use - Level 1 - Central Area	OS Open Space	P-CEA Public Facility - Central Area
CCE2 Commercial - Mixed Use - Level 2 - Central Area	OP Open Space - Park	P-ML Residential - Medium Low
CGH Commercial - General Heavy	P-CFCC Public Facility - Community Center	P-M Residential - Medium
CN Commercial - Neighborhood	P-CFCEA Public Facility - Civic Center - Central Area	P-MH Residential - Medium High



**CITY OF FRESNO GENERAL PLAN
LAND USE DESIGNATIONS**

Figure
2 - 4

SECTION THREE
ENVIRONMENTAL CHECKLIST

SECTION THREE –ENVIRONMENTAL CHECKLIST

1. Project title: City of Fresno, Three Million Gallon Water Storage Tank
2. Lead agency name and address: City of Fresno
Department of Public Utilities - Water Division
1910 E. University Avenue
Fresno, CA 93721
3. Contact person and phone number: City of Fresno
Michael Carbajal
Department of Public Utilities - Water Division
1910 E. University Avenue
Fresno, CA 93721
(559) 621-5300
4. Project location: The project site is generally located on the southwest side of H Street and southeast of the railway line that runs between G Street and H Street, and northwest of San Benito Street, which serves as a frontage road to Highway 41. The property area is located in Fresno County Assessors Parcel Numbers (APNs) 405-050-16U, 467-020-28U, and portions of 467-020-40U, 467-020-37MU, and 467-020-39U, located at H Street and San Benito Streets in Fresno, California. The property is further described as Township 14 South, Range 20 East, Southwest ¼ of Section 10, Fresno South, CA Quad. The project, consisting of approximately 3.60 acres, is located within the Central Area Community Plan boundary.
5. Project sponsors name and address: City of Fresno
Michael Carbajal
Department of Public Utilities - Water Division
1910 E. University Avenue
Fresno, CA 93721
(559) 621-5300
6. General plan designation: Commercial/Mixed Use (Central Area).
7. Zoning designation: General Manufacturing (M-2)
8. The proposed project is the construction and operation of a three-million gallon water storage tank, booster pump station, and appurtenances to support the aging downtown water system and fire flow for new development.
9. The project area falls within the City of Fresno's Sphere of Influence or Fresno Urban Boundary line identified in the 2025 General Plan.

10. Other Agencies whose approval is required:
- Department of Health Services and the Regional Water Quality Control Board (RWQCB)
 - San Joaquin Valley Air Pollution Control District: dust control plan [Regulation VIII (Fugitive PM10 Prohibitions) Rules 8011-8081].

DETERMINATION: (To be completed by the Lead Agency)

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 in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, wherein applicable mitigation measures have been applied to the project, and nothing further is required.
- There is no substantial evidence in the record that the project may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 (“MEIR”) and that no new or additional mitigation measures or alternatives may be required. In addition, pursuant to Public Resources Code, Section 21157.6 (b)(1), no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at

the time the MEIR was certified as complete, has become available. Accordingly, a Finding of Conformity for Environmental Assessment for the City of Fresno Three Million Gallon Water Storage Tank is recommended for adoption.

The above determination is supported by the following findings:

1. The proposed project has been determined to be fully within the scope of 2025 Fresno General Plan Master Environmental Impact Report No. 10130 as provided by the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC) Section 21157.1 (d) and the CEQA Guidelines Section 15177. The proposed project does not have the potential, above and beyond what was analyzed in the General Plan Master EIR, 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 community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California prehistory or history because:
 - All efforts to implement the project shall be consistent with all federal and State regulations and the policies and programs contained in the City's General Plan elements which include policies to protect the quality of the environment, including natural habitat and historical and cultural resources.
2. The proposed project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
3. The proposed project does not have impacts that are individually limited, but cumulatively considerable.
4. The proposed project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.
5. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the City of Fresno, Department of Public Utilities, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.



Lon Martin, Assistant Director of the Department of Public Utilities

8/13/09

Date

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. For the purposes of this Finding of Conformity, a “No Impact” answer means that there is no impact above and beyond what was already analyzed in the 2025 Fresno General Plan MEIR. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Earlier analyses may be used where, pursuant to the 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 they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in 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 Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

AESTHETICS Would the project:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state 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 which would adversely affect day or night time views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetics Discussion

Significant regional features viewed from Fresno include the Sierra Nevada mountains and foothills to the north and east, open space and agricultural vistas, the San Joaquin River corridor and other waterways. This environmental issue focuses on the potential impacts of the project on scenic vistas and the overall appearance of the project in the community context. Issues of light and glare, community view-sheds, and architectural compatibility with existing development of a specific site or setting are all part of the issue of "Aesthetics" as addressed within the framework of CEQA.

The tank will be above ground, with a maximum height of approximately 32 feet and an inside diameter of 132 feet, and will be surrounded by other related structures or open space. To give the project perspective, 32 feet is the rough equivalent of the maximum height of a two story residential structure. The project also includes landscaping features such as trees, shrubs and open space areas. The project site is located within an area designated for general manufacturing. Land surrounding the project site has been developed with manufacturing, light industrial, and commercial uses, as well as a railway line, and an access ramp to Highway 41 (which is currently closed). Typical project improvements may include street and security lighting. The additional light source created by this project will be consistent with other possible, mixed use development anticipated in the area. The project site most recently was occupied by commercial fruit packing facilities, although no buildings presently stand on the property. A paved parking lot remains on the property, and will be removed by the end of the construction phase of the project.

The limited development activity in the area coupled with the continual decline of businesses fosters an image of blight in the area. The project site is located in the Central Area Community Plan area and also is part of the Chinatown Expanded Redevelopment Plan area. In order to be

considered a redevelopment area the City of Fresno made certain findings that significant blight exists in the area. Blight can be caused by both physical and economic conditions. Table 3-1 summarizes the blight findings made by the City of Fresno for the project area.

**Table 3-1
Blighting Conditions Summary**

Redevelopment Law	Blighting Condition	Merged Project Area
<p>PHYSICAL CONDITIONS THAT CAUSE BLIGHT CRL 33031(a)</p>	<p>(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 other similar factors.</p> <p>(2) Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by a substandard design, inadequate size given present standards and market conditions, lack of parking or other similar factors.</p> <p>(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.</p> <p>(4) The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.</p>	<p>A survey of building conditions by certified inspectors revealed that 32.7 percent of the buildings in the Convention Center redevelopment area are either deteriorated or dilapidated.</p> <p>Buildings built before 1940 make up 40 percent of the buildings in the Convention Center area and as a result a substantial portion of the buildings are considered obsolete. Additionally, a Central Area-wide parking deficit and deteriorating infrastructure contribute to blight.</p> <p>This condition was not evaluated in the Redevelopment Plan; however the present industrial uses and general condition of the building are not compatible with City goals of the development of a vibrant mixed-use area.</p> <p>Parcels under 10,000 square feet (considered less than standard for non-residential) make up 49.5 percent of the parcels in the Convention Center Area. The project area parcels are under ownership by seven entities.</p>
<p>ECONOMIC CONDITIONS THAT CAUSE BLIGHT CRL 33031(b)</p>	<p>(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).</p> <p>(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.</p> <p>(3) A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending facilities.</p> <p>(4) Residential overcrowding or an excess of bars, liquor stores, or other businesses that cater exclusively to adults, that has led to problems of public safety and welfare.</p> <p>(5) A high crime rate that constitutes a serious threat to the public safety and welfare.</p>	<p>Assessed values have declined in the area.</p> <p>Lease rates within the Downtown office and industrial markets are among the lowest within the City. Vacancy rates within downtown markets are among the highest.</p> <p>This condition was not evaluated in the Redevelopment Plan.</p> <p>Residential Overcrowding within the Central Area is approximately three times higher than the City of Fresno as a whole (US Census)</p> <p>The average number of crimes per person is approximately double that of the City as a whole (Fresno Police Dept.)</p>

Relevant Regulations/Policies related to aesthetic resources are outlined in Section C. Urban Form Element (beginning on page 20) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The Zoning Ordinance sets specific development criteria for the various zone districts, such as parking, fencing, walls, setbacks, building heights, etc. The General Plan and Zoning Ordinance are available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSIONS AND DATA

- a) The project site is currently an area of blight. There are vacant and dilapidated buildings located in the area. Present uses in the area are industrial and commercial in nature. The project site is not located in an area that affords a scenic vista. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b) The project site is not located near a scenic highway. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c) The implementation of the project will involve the construction of a water storage tank and related building structures, and demolition of an existing parking lot. The project also includes landscaping in the form of trees, shrubs, and open space areas. The project will conform to applicable City building and landscaping standard as required by the 2025 General Plan Design Guidelines. With implementation of the mitigation measure below, **there is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: The following mitigation measure from the 2025 Fresno General Plan MEIR applies to the project:

Mitigation Measure Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.

Mitigation Monitoring: The City of Fresno Planning Department shall be responsible for assuring that the above mitigation measures are implemented.

The project will result in street and security lighting. The site is presently surrounded by existing urban development that includes street lighting. The new light sources will be developed in accordance with City standards and will be compatible with other uses in the area and will not significantly affect the nighttime view in the area. The impact of the project is **less than significant.**

The proposed project would not contribute significant environmental effects to aesthetic resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "Central Area Community Plan," July 1989
- City of Fresno, "2025 General Plan," February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan," May 2002
- City of Fresno, "2025 General Plan Design Guidelines"
- City of Fresno, Zoning Ordinance
- Fresno Redevelopment Agency's, "Preliminary Report for the Merger of Central Area Redevelopment Plans (Merger No. 1)," February 1998

Issues:

AGRICULTURE RESOURCES: - Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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 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 which, 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"/>

Agriculture Discussion

This environmental issue focuses on the impacts of a project on farmland and agricultural productivity. Environmental concerns focus on the loss of agricultural cropland as inventoried by the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency as well as agriculturally zoned and Williamson Act Contract lands. An additional area of concern is the potential change resulting from a project that could lead to future conversion of agricultural lands to non-agricultural uses.

The Master Environmental Impact Report (MEIR) prepared for the City of Fresno 2025 General Plan found that implementation of the General Plan would result in the permanent displacement of 9,333 acres of vacant land and/or existing productive agricultural land. Furthermore, the MEIR found that future development patterns may be located in areas adjacent to agricultural lands and residential uses might conflict with agricultural operations, industry, pesticides, noise and dust. These would be significant impacts.

The proposed project site is located in the Central District within the urbanized boundary of the City of Fresno and is developed with industrial and commercial uses. Land uses surrounding the proposed project site are also urbanized and developed with industrial and commercial uses. There are no agricultural lands in the proposed project area. There is no impact to agricultural resources from the proposed project.

The goal of the proposed project is to improve the water service infrastructure in the Central District in order to better serve existing and future growth and redevelopment. Accommodating

growth in the existing urbanized boundary of the City is an identified mitigation measure for protecting agricultural resources.

Relevant Regulations/Policies related to agricultural resources are outlined in Section G-5, Resource Conservation Element (beginning on page 137) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov. There is no planned agricultural land use in the General Plan within the City's SOI.

CONCLUSIONS AND DATA

a-c) There are no farmlands in the project area. The area is not zoned for agricultural use or under a Williamson contract. The project will not result in the conversion of farmland to non-agricultural use. There is **no impact**.

Proposed Mitigation: It was determined that there are no significant adverse impacts to area agricultural resources, therefore, no mitigation is proposed.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to agricultural resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "Central Area Community Plan", July 1989
- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002

Issues:

AIR QUALITY: Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Air Quality Discussion

This environmental issue focuses on the impacts of a project on air quality. Issues over project consistency with applicable air quality plans, policies and regulations, increases of any pollutant for which the area has been designated as a “non-attainment” area are to be addressed. Additional concerns are over the exposure of sensitive receptors, such as nearby residents, to high levels of air pollution or odors.

The entire San Joaquin Valley Air Basin is designated non-attainment for state and federal ozone and particulate matter (PM_{2.5}) standards.

According to the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI), light industrial land uses with fewer than 1,506 trips per day qualify for the Small Project Analysis Level (SPAL) standard for project assessment and will have no possibility of exceeding emission thresholds. Projects that fall under the SPAL list do not require quantification of ozone precursor emissions. (*Guide for Assessing and Mitigating Air Quality Impacts*, page 36).

A primary concern with a project's air quality impacts involves emissions associated with construction. Construction emissions are temporary in nature, and are considered by the San Joaquin Valley Air Pollution Control District (SJVAPCD) to be less than significant if the SJVAPCD's Regulation VIII mandatory dust control measures are followed. Because these measures are mandatory, and therefore part of the regulatory setting of the project, they do not constitute mitigation. Regulation VIII measures are listed in Table 3-2.

A Phase I Environmental Site Assessment and Hazardous Materials survey did/did not reveal asbestos in any structures previously on the site that have since been removed.

The proposed project will also be subject to the following District rules. These rules have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required.

Regulation VIII (Fugitive PM10 Prohibitions) Rules 8011-8081 are designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, and landfill operations.

The project will likely be subject to provisions within Rule 8011 (General Requirements), Rule 8021 (Construction, Demolition, Excavation, Extraction and Other Earthmoving Activities), Rule 8031 (Bulk Materials), Rule 8041 (Carryout and Track out), Rule 8051 (Open Areas), Rule 8061 (Paved and Unpaved Roads), and Rule 8071 (Unpaved Vehicle/Equipment Traffic Areas).

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 project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

Rule 4601 (Architectural Coatings) This rule limits volatile organic compounds from architectural coatings by specifying architectural coatings storage, clean up and labeling requirements and applies to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating.

Rule 4651 and associated Appendix E (Soil Decontamination Operations) The purpose of this rule is to limit volatile organic compound (VOC) emissions from soil that has been contaminated with a VOC-containing liquid. This rule applies to operations involved in the excavation, transportation, handling, decontamination, and disposal of contaminated soil. This rule will apply only if a soils analysis reveals that VOCs exist in the soils of the project site. A Phase I report will be required for this project, which will include a recommendation for further testing if there is evidence of VOCs or other soil contaminants.

Rule 4702 (Internal Combustion Engines -- Phase 2) This rule applies to any internal combustion engine with a rated brake horsepower greater than 50 horsepower (for example, a standby generator fueled by diesel).

**Table 3-2
Mandatory Control Measures for Construction, Excavation, Extraction,
and Other Earthmoving Activities**

<p>A. Pre-Activity: A1: Pre-water site sufficient to limit Visible Dust Emissions (VDE) to 20% opacity A2: Phase work to reduce the amount of disturbed surface area at any one time.</p>
<p>B. During Active Operations: B1: Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity B2: Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure B1 above shall also be implemented. B3: Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.</p>
<p>C. Temporary Stabilization During Periods Of Inactivity: C1: Restrict vehicular access to the area C2: Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acres or more of disturbed surface area remains unused for seven or more days, the area must comply with the conditions for a stabilized surface area as defined below: <u>Stabilized Surface</u>: any disturbed surface area or open bulk material storage pile that is resistant to wind blown fugitive dust emissions. A surface is considered to be stabilized if it meets at least one of the following conditions: <ul style="list-style-type: none"> • A visible crust; or • A threshold friction velocity (TFV) for disturbed surface areas corrected for nonerodible elements of 100 centimeters per second or greater; or • A flat vegetative cover of at least 50 percent that is attached or rooted vegetation; or unattached vegetative debris lying on the surface with a predominant horizontal orientation that is not subject to movement by wind; or • • A standing vegetative cover of at least 30 percent that is attached or rooted vegetation with a predominant vertical orientation; or • A standing vegetative cover that is attached or rooted vegetation with a predominant vertical orientation that is at least 10 percent and where the TFV is at least 43 centimeters per second when corrected for nonerodible elements; or • A surface that is greater than or equal to 10 percent of non-erodible elements such as rocks, stones, or hard-packed clumps of soil. </p>
<p>D. Speed Limitations and Posting of Speed Limit Signs D1: Limit the speed of vehicles traveling on uncontrolled unpaved access/haul roads within construction sites to a maximum of 15 miles per hour. D2: Post speed limit signs that meet State and Federal Department of Transportation standards at each construction site's uncontrolled unpaved access/haul road entrance. At a minimum, speed limit signs shall also be posted at least every 500 feet and shall be readable in both directions of travel along uncontrolled unpaved access/haul roads.</p>
<p>E. Wind Generated Fugitive Dust Requirements E1: Cease outdoor construction, excavation, extraction, and other earthmoving activities that disturb the soil whenever VDE exceeds 20% opacity. Indoor activities such as electrical, plumbing, dry wall installation, painting, and any other activity that does not cause any disturbances to the soil are not subject to this requirement. E2: Continue operation of water trucks/devices when outdoor construction excavation, extraction, and other earthmoving activities cease, unless unsafe to do so.</p>

Rule 8011 and 8021 (Dust Control: these are included in Regulation VIII, above) The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities. This rule applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site.

Relevant Regulations/Policies related to air quality are outlined in Section G-1, Resource Conservation Element (beginning on page 129) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSIONS AND DATA

- a) The proposed project does not conflict with the implementation strategy of the San Joaquin Valley Regional Air Quality Management Plan. The short-term impact from demolition of the parking lot and construction will be less than significant. The long-term impact from area source and operational emissions will also be less than significant. The SJVAPCD considers impacts that are individually less than significant not to have a cumulatively significant impact. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b, c) Air quality impacts related to this project will come mainly from two sources – particulate (dust) emissions and exhaust emissions from demolition, soil disturbance and removal, and construction on the proposed project site. Compliance with the SJVAPCD's rules and regulations will reduce the potential impact to a less than significant level. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- d) Light Industrial projects of fewer than 510,000 ft² or that are expected to generate fewer than 1,506 vehicle trips per day, qualify for the Small Project Analysis Level (SPAL) standards of the SJVAPCD guidelines for project assessment and will have no possibility of exceeding emission thresholds. According to the SJVAPCD standards, the project is not expected to create traffic concentrations that would result in the creation of significant air pollution concentrations and/or expose sensitive receptors to such concentrations. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- e) The development of the proposed project will not expose a substantial number of people to objectionable odors. Developments such as this proposed project do not create objectionable odors. Compliance with the SJVAPCD's rules and regulations will reduce the potential impact to a less than significant level. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: None are required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to air quality beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Global Warming/Climate Change: Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that the project or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

Staff is not aware of any particular circumstance or information that would make impacts to air quality a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon air quality impacts pursuant to CEQA Guideline Section 15179(b)(1).

“Global warming” is the term coined to describe very widespread climate change characterized by a rise in the Earth's ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG).

When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar energy reaching Earth's surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth's surface would remain more or less constant. Greenhouse gases disturb this equilibrium by absorbing and retaining infrared energy, trapping heat in the atmosphere—the “greenhouse gas effect.” The belief is that global warming is now occurring because natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of carbon dioxide and other GHG, and cannot keep the level of these gases under control. It is believed that a combination of factors related to human activities, such as deforestation and an increased emission of GHG into the atmosphere, is causing global warming.

Water vapor is the most predominant GHG, and is primarily a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans. The predominant types of anthropogenic greenhouse gases (those caused by human activity), are

- carbon dioxide (CO₂), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- methane (CH₄), known commonly as “natural gas,” is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH₄ exerts about 20 times the greenhouse gas effect of CO₂;
- nitrous oxide (N₂O), produced in large part by soil microbes and enhanced through application of fertilizers. N₂O is also a byproduct of fossil fuel burning: atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N₂O is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N₂O is one component of “oxides of nitrogen” (NOX), long recognized as precursors of smog-causing atmospheric oxidants.
- chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (e.g., “Freon™”). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;
- perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an extremely stable molecular structure, with biological half-lives tens of thousands of years, leading to ongoing atmospheric accumulation of these GHGs.
- sulfur hexafluoride (SF₆) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF₆ exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO₂ on a ton-for-ton basis.

In an effort to address the perceived causes of global warming by reducing the amount of anthropogenic greenhouse gases generated in California, the state enacted the Global Warming Solutions Act of 2006 (Codified as Health & Safety Code Section 38501 et seq.). Key provisions include the following:

- Codification of the state's goal by requiring that California's GHG emissions be reduced to 1990 “baseline” levels by 2020.

- Set deadlines for establishing an enforcement mechanism to reduce the GHG emissions:
 - By June 30, 2007, the California Air Resources Board ("CARB") was required to publish "discrete early action" GHG emission reduction measures. Discrete early actions are regulations to reduce greenhouse gas emissions to be adopted by the CARB and enforceable by January 1, 2010;
 - By January 1, 2008, CARB was required to identify what the state's GHG emissions were in 1990 (set the "baseline") and approve a statewide emissions limit for the year 2020 that is equivalent to 1990 levels. (These statewide baseline emissions have not yet been allocated to regions, counties, or smaller political jurisdictions.) By this same date, CARB was required to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions.
 - By January 1, 2011, CARB must adopt emission limits and emission reduction measures to take effect by January 1, 2012.

As support for this legislation, the Act contains factual statements regarding the potential significant impacts on California's physical environment that could be caused by global warming. These include, an increase in the intensity and duration of heat waves, the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

On August 24, 2007, California also enacted legislation (Public Resources Code §§ 21083.05 and 21097) requiring the state Resources Agency to adopt guidelines for addressing climate change in environmental analysis pursuant to the California Environmental Quality Act. By July 1, 2009, the Governor's Office of Planning and Research (OPR) is required to prepare guidelines for the mitigation of greenhouse gas emissions, and transmit those draft regulations to the Resources Agency. The Resources Agency must then certify and adopt the guidelines by January 1, 2010.

Because it is believed that global warming is being caused by human activities on the entire planet, it would be highly speculative to conclude that this project would have a direct adverse impact on global climate. CARB has not adopted GHG emission limits and emission reduction measures and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions, there is an absence of regulatory guidance to assist any lead agencies in determining whether a particular project will have a significant impact on global warming.

This project is anticipated to have a short-term impact on air quality, as the result of construction activities on the site, however, there are no long term air quality impacts associated with the project. The impact is **less than significant**.

Persons Contacted and Information Consulted:

- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- San Joaquin Valley Air Pollution Control District, Guide for Assessing and Mitigating Air Quality Impacts, 2002
- San Joaquin Valley Air Pollution Control District, Dust Control Compliance Assistance Bulletin, October 2004
- San Joaquin Valley Air Pollution Control District, Asbestos Requirements for Demolition and Renovations Compliance Assistance Bulletin, July 2006

Issues:

BIOLOGICAL RESOURCES – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<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, 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, marsh, vernal pool, coastal, 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 pre-servation 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"/>

Biological Resources Discussion

This environmental issue focuses on the impacts of a project on biological resources such as sensitive plant or animal species or their habitat, or riparian habitat or interference with the normal movements of wildlife species in the vicinity of a project. Additional concerns focus on consistency of a project with adopted plans, policies and regulations regarding wildlife, habitat conservation planning, local wildlife preservation plans and polices or wetlands.

The project site is an urban area with commercial and industrial development onsite and in the surrounding areas. The site is not suitable habitat for any endangered species and is not an area of riparian habitat or wetlands. The City of Fresno does not have any local policies or ordinances protecting biological resources and does not have an adopted Habitat Conservation Plan.

Relevant Regulations/Policies related to biological resources are outlined in Section G-12 through G-14, Resource Conservation Element (beginning on page 155) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

a-f) The project site is a developed urban setting. There is no evidence to suggest this project would result in impacts to endangered species or habitats, locally designated species or wildlife dispersal or migration corridors. There are no known sensitive or protected species or natural communities located on the site and/or surrounding area. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: It was determined that there are no significant adverse impacts to biological resources, therefore, no mitigation is proposed.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to biological resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002

Issues:

CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cultural Resources Discussion

This environmental issue focuses on the impacts of a project on cultural resources including, but not limited to, the adverse change to a significant historical or archaeological resource. Other areas of concern include the potential for a project to adversely impact a unique paleontological resource or geologic feature or disturb any human remains.

The City of Fresno Municipal Code Chapter 12 Article 16, also known as the "Historic Preservation Ordinance" has the intent "to preserve, promote and improve the historic resources and districts of the City of Fresno for educational, cultural, economic and general welfare of the public; to continue to protect and review changes to these resources and districts which have a distinctive character or a special historic, architectural, aesthetic or cultural value to this city, state and nation; to continue to safeguard the heritage of this city by preserving and regulating its historic buildings, structures, objects, sites and districts which reflect elements of the city's historic, cultural, social, economic, political and architectural history; to continue to preserve and enhance the environmental quality and safety of these landmarks and districts; to continue to establish, stabilize and improve property values and to foster economic development." Additionally, as stated in Section 12-1602(b): "The Council finds that the City of Fresno has played an important role in the development of California and that this history is shown today through archaeological sites and through buildings, structures, objects, sites and districts representing the commercial, industrial, social, economic, political and architectural development of the city. The Council finds that the distinctive and significant character of the city can only be maintained by protecting and enhancing its historic, architectural, aesthetic and cultural heritage and by preventing unnecessary injury or destruction of its historic resources and districts which are community assets."

The site is a previously disturbed site, which has included structures which have been demolished. A paved parking lot remains on the site. The proposed project is within an area of urban build up. There are no visible cultural resources.

The Center for Archaeological Research, California State University, Bakersfield conducted a cultural resources records search on the proposed Project site in May 2009 (See Appendix A). The results determined that no surveys have been conducted on the site; however, three studies have been conducted within one-half mile of the site. None of those surveys revealed the presence of cultural resources, archaeological sites, or historical sites on the site or within one-half mile of the site. However, independent review of the National Register of Historic Places map and further consultation with City of Fresno Historic Preservation Staff revealed the presence of historical/cultural sites within one-half mile of the site (See Conclusion and Data (a) below).

It should be noted that the records search (Appendix A) conducted by the Center for Archaeological Research states "The Project Area has not been surveyed and as such, the possibility remains that resources do exist there and may be identifiable at this time. We recommend that the Project Area be surveyed by a qualified archaeologist." This is a standard recommendation that is given for any project site that has never been surveyed, regardless of the circumstances. However, it has been determined that a survey of the project site is not necessary based on the following information: The site is highly disturbed and the only remaining object on site is a paved parking lot; the lot was heavily disturbed during its use as a fruit packing facility (which has since been demolished); and the site was further disturbed during its use as a temporary homeless camp.

However, because unknown (buried) cultural resources may exist on the Project site, appropriate mitigation measures will be taken by the City in the event that cultural resources are located there.

The City has prepared previous environmental documents that included the project area. A cultural resources records search was conducted for EIR 10124 – Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, and Proposed South Van Ness Industrial Redevelopment Project Area. No cultural resources were identified on this project site.

The City of Fresno MEIR for the 2025 General Plan found that future development might adversely impact unknown archaeological and/or historic resources.

Relevant Regulations/Policies related to cultural resources are outlined in Section G-10 and G-11, Resource Conservation Element (beginning on page 148) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) Two historic structures, listed on the National Register of Historic Places, are located within one half mile of the Project area. The Holy Trinity Armenian Apostolic Church is located at 2226 Ventura Avenue, to the north and east of the project site. The Fresno Brewing Company is located at 100 M Street to the east. Additionally, three structures are listed on Fresno's Local Register of Historic Resources and are within a half mile of the Project area. The Vartanian Home and tankhouse, 362 F Street (HP#67); Fresno Planning Mill, 1860 Monterey Street (HP#69); and Bekins Van and Storage, 301 Van Ness (HP#70). There will be no impact on the identified sites, as none of the sites are adjacent to the project site and construction activity will not encroach into the vicinity of the identified features. Further, visual impacts will be minimal to the identified sites, as none of the sites are adjacent to the project site and there are existing structures that are interspersed in the area that screen views to the project site. However, there could be a disturbance or destruction of other, unrecorded or buried cultural or historic resources resulting from the construction activities associated with the project. **With implementation of the mitigation measure below, there is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b-d) Although there is no recorded evidence of archaeological sites on the project site, there is limited potential during project-related excavation and construction for the discovery of cultural resources or any human remains. Such discovery would be a potentially significant impact. With implementation of the mitigation measure below, there is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c) The site does not contain any unique paleontological resource or site, or a unique geologic feature. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: The following mitigation measure from the 2025 Fresno General Plan MEIR applies to the project:

Mitigation Measure J-1: If the site of a proposed development or public works project is found to contain unique 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:

- a. Amending construction plans to avoid the resources.
- b. Setting aside sites containing these resources by deeding them into permanent conservation easements.
- c. Capping or covering these resources with a protective layer of soil before building on the sites.

- d. Incorporating parks, green space, or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.
- e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.

Mitigation Measure J-2: 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.

Mitigation Measure J-3: If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.

Mitigation Monitoring: These and other applicable MEIR No. 10130 mitigation measures shall be attached to the construction documents associated with the project. It will be the responsibility of the contractor to train and oversee his/her staff regarding cultural resource discovery. The contractor shall notify City staff upon discovery. The City of Fresno Planning Department shall be responsible for assuring that the above mitigation measures are implemented.

The proposed project would not contribute significant environmental effects to cultural resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- Rebecca Strickland Orfila, MA/RPA, Center for Archaeological Research, California State University, Bakersfield, May 2009
- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, Historic Resources Map, December 2005
- City of Fresno, Local Register of Historic Resources, <http://www.historicfresno.org/lrhr/index.htm>, accessed March 27, 2007.
- City of Fresno, National Register of Historic Resources, <http://historicfresno.org/nrhp/nrhp.htm>, accessed March 27, 2007.
- Survey of potential National Register properties in the "180 Gap" Freeway Corridor, 1991.
- Supplementary Historic Building Survey of the Ratkovich Plan Area, September 1993 through August 1994.

Issues:

GEOLOGY/SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving?

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

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction.

iv) Landslides

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

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

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?

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Geology/Soils Discussion

This environmental issue focuses on the impacts on natural geologic or soil conditions on a project site. Specific concerns include earthquakes and seismic related hazards, or unstable soils. This environmental issue also addresses concerns relating to soil erosion.

According to the City of Fresno MEIR for the 2025 General Plan, comprehensive mapping and analysis of potential geologic hazards was last completed in 1974 and published in the *Five-County Seismic Safety Element*, which covered the counties of Fresno, Tulare, Kings, Madera, and Mariposa.

No active earthquake faults have been detected within the Fresno metropolitan area. There is evidence of a possible fault running north to south through most of Clovis, called the "Clovis Fault". No evidence has been found of historic ground movement along this feature. The City of Fresno General Plan MEIR states that there are no defined Alquist-Priolo Special Fault Study zones in the Fresno metropolitan area.

The City of Fresno General Plan MEIR found that in the Fresno Sphere of Influence (SOI), the principal earthquake hazard is related to ground shaking; surface rupture is considered extremely unlikely. The distance between Fresno and major faults reduces ground-shaking effects. The City of Fresno is classified as Seismic Zone III in the 1999 Uniform Building Code. Zone III indicates that the area is subject to strong ground motions from earthquakes. Fresno's flat terrain makes landslides unlikely in the vicinity of the project area, and the area's well-drained alluvial soil minimizes its potential for liquefaction during earthquakes. The relative earthquake safety of Fresno is considered such that the State contingency plans designate the City as a location for emergency housing of persons who must be relocated following earthquake disasters in other parts of California. Even though Fresno has a low risk of effects classified as natural earthquake hazards, the secondary effects of ground shaking could cause damage to local buildings and infrastructure elements such as bridges and pipes.

Development in the City of Fresno is subject to the "Fresno Building Code" which incorporates the 2007 California Building Standards Code, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2007 Uniform Building Code (UBC) as amended with necessary California amendments and the 2007 UBC, volumes 1 and 2, of the International Conference of Building Officials. The City of Fresno enforces the latest adopted UBC and the Dangerous Building Ordinance (Chapter 11, Article 7, §11-703) to ensure seismic protection for new and existing construction.

The *Soil Survey, Eastern Fresno County, California (1971)*, prepared by the U.S. Department of Agriculture Natural Resource Conservation Services (NRCS) specifies that expansive clay soils are present in much of the City of Fresno's SOI. In certain areas within the sphere of influence, the Soil Conservation Service has noted the presence of highly erodible soils. However as a standard practice, the City's building procedures require the submittal of geotechnical reports (as applicable), which will confirm whether or not the Project area includes highly erodible soils.

Foundations, circulation areas, areas of cut and fill, etc. are required to comply with the recommendations of the geotechnical reports.

The *Soil Survey* found Delhi Loamy sand, Madera Loam, and San Joaquin Sandy Loam on the proposed project site. The Delhi series consists of very deep, somewhat excessively-drained soils. Delhi soils formed in wind modified material, weathered from granitic rock sources. Delhi soils are on floodplains, alluvial fans and terraces, and have slopes from 0 to 15 percent. The Madera series consist of moderately deep to hardpan, well or moderately well-drained soils that formed in old alluvium derived from granitic rock sources. Madera soils are on undulating low terraces with slopes from 0 to 9 percent. The San Joaquin series consists of moderately deep to a duripan, well and moderately well-drained soils that formed in alluvium derived from mixed but dominantly granitic rock sources. San Joaquin soils are on undulating low terraces with slopes from 0 to 9 percent. According to the NRCS survey, the soils in the project area have moderate to low erosion factors.

The Fresno Building Code, Title 15, requires a Grading Plan when over 1,000 cubic yards of soil are to be graded. Recommendations from the Soils Engineering Report and Engineering Geology Report are incorporated into the Grading Plans.

The proposed project site is flat and is developed with asphalt paving and concrete sidewalks. A fruit packing plant that once stood on the site has recently been demolished. Implementation of the project will require site preparation before installation of the tank and construction of the tank infrastructure (operating building, filters, and related appurtenances). Depending on the location of existing pipelines, some excavation may be required to connect waterlines going to and from the water storage tank.

Relevant Regulations/Policies related to geology/soils resources are outlined in Section I-3 and I-4, Safety Element (beginning on page 169) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) The City of Fresno is in a seismically stable area of California, in Seismic Zone III, with no Alquist-Priolo Earthquake Fault Zones. The City of Fresno is sufficiently far away from major faults that ground shaking will be minimal. The well-drained soil on the proposed project site minimizes the potential for liquefaction. The flat terrain of the proposed project site makes landslides unlikely. Development in accordance with the City of Fresno General Plan will mitigate the direct impacts from earthquakes and seismic-related hazards. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b) The soils in the proposed project area have moderate to low erosion factors. Development standards in the City are applied to all construction projects and these

regulations minimize the potential for project construction to result in substantial soil erosion or loss of topsoil. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- c, d) The project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project is subject to the City Building Codes regarding expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). As applicable, City regulations require engineering geotechnical studies to determine suitability of the site for development. Standards for soil suitability are contained in the City's regulations and implementation of the 2007 Uniform Building Code (UBC). With implementation of the mitigation measure below, there is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: The following mitigation measure from the 2025 Fresno General Plan MEIR applies to the project:

Measure L-1: Any construction that occurs as a result of a project shall conform with current Uniform Building Code regulations, which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site-specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.

Mitigation Monitoring: The City of Fresno Department of Public Utilities shall be responsible for assuring that the above mitigation measures are implemented.

The project will be connected to the City of Fresno facilities for sewage treatment. There will be no individual septic systems associated with the project. There is **no impact.**

The proposed project would not contribute significant environmental effects to geological resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- U.S. Department of Agriculture Natural Resource Conservation Services (NRCS), "Soil Survey, Eastern Fresno County, California," 1971. (this date was before expanding soils were defined by UBC in 1994).

<u>Issues:</u>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
HAZARDS/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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project 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 type="checkbox"/>	<input checked="" 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"/>

Hazards/Hazardous Materials Discussion

This environmental issue focuses on the impacts of a project with respect to hazards. The creation of new hazardous conditions or activities that will result in people or property being exposed to existing hazards is the primary area of focus under this environmental issue. Hazards include, but are not limited to, hazardous materials, hazards associated with aircraft and airports or wildland fires. An additional concern is the consistency of a project with emergency response plans or emergency evacuation plans.

DEFINITION OF HAZARDOUS MATERIAL

A substance may be considered hazardous due to a number of criteria, including toxicity, ignitability, corrosivity, or reactivity. The term "hazardous material" is defined in law as any material, that, because of quantitative, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

Once a hazardous material becomes ready for discard, it becomes a hazardous waste. A hazardous waste, for the purpose of this report, is any hazardous material that is abandoned, discarded, or (planned to be) recycled. In addition hazardous wastes may occasionally be generated by actions that change the composition of previously non-hazardous material. The same criteria (toxicity, ignitability, corrosivity, or reactivity) that render a material hazardous also makes waste hazardous.

The use of hazardous material and disposal of hazardous waste are subject to numerous laws and regulations at all levels of government. Below is a brief overview of federal and state laws and regulations

Local

The City of Fresno 2025 General Plan Objective I-6 states that the City will "Reduce and control the adverse effects of hazardous materials on the public's health, safety, and welfare so as to promote the public health and welfare of local residents and the productive capacity of industry."

The proposed project will need to comply with the following General Plan Policies that support Objective I-6:

Policy I-6-c: Approval of annexations and development projects (including issuance of building permits) will be subject to state and federal requirements for adequate assessments and mitigation measures on listed hazardous material sites and for business activities that involve more than threshold amounts of hazardous materials.

Policy I-6-d: As may be appropriate, the City shall require and evaluate the results of "Level I" and further site investigations before approving development entitlements on, or annexation of, property.

Policy I-6-e: Through the environmental review process for land use plans or other development projects, the City will continue to identify and assess the health- and safety-related implications of storage, use, and disposal of hazardous materials.

The provisions in Government Code § 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA). A search of the Cortese list data resources revealed that no leaking underground storage tanks (UST) were included on the property. A 2007 Phase I Environmental Assessment recommended that additional assessment of the project site be conducted "to assess the vertical and lateral extent of gasoline contaminated soils at the former UST location, so that appropriate site remediation options can be evaluated." A Phase I Assessment Update conducted by Kleinfelder in May 2009 addressed the additional assessment needed to determine the extent of vertical and lateral gasoline contaminated soils at the UST location. The data resources that were examined on the Cortese List include:

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

As required by State law, the City has established emergency preparedness procedures and designated evacuation routes to respond to a variety of natural and man-made disasters that could confront the community. The City's Police and Fire Departments are the lead agencies for all local emergency response efforts. Both departments have received specialized training to deal with emergencies. In addition, the City's full-time Emergency Preparedness Officer (EPO) is responsible for ensuring that Fresno's emergency response plans are up-to-date and implemented properly. The EPO also facilitates cooperation between City departments and other local, state and federal agencies that would be involved in emergency response operations.

Wildland fire hazards are reduced by enforcement of City building and fire codes, fuel breaks, weed abatement and implementation of other fire safe practices. The City of Fresno's Municipal Code § 9-70100 incorporates the provisions of the Uniform Fire Code. The City's municipal code includes several provisions to reduce the risk of fire. The first is a requirement for adequate water supply capable of providing required fire flow for fire protection. The second is a

requirement regulating the location of rubbish within and adjacent to buildings and structures to minimize fire hazards.

The construction and operation of the proposed project is subject to regulations of the City of Fresno, the Regional Water Quality Control Board, the Fresno County Environmental Health Department, and the San Joaquin Valley Air Pollution Control District, to ensure safe and effective risk control.

Federal

Resource Conservation and Recovery Act

Under Resource Conservation and Recovery Act (RCRA), individual states may implement their own hazardous waste programs in lieu of RCRA as long as the state program is at least as stringent as federal RCRA requirements. The Environmental Protection Agency (EPA) must approve state programs intended to implement federal regulations. In California, the California Environmental Protection Agency (Cal EPA) and the Department of Toxic Substances Control (DTSC), a department within Cal EPA, regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. The EPA approved California RCRA program, called the Hazardous Waste Control Law (HWCL), in 1992. DTSC has primary hazardous material regulatory responsibility, but can delegate enforcement responsibilities to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous material under the authority of the HWCL.

The hazardous waste regulations establish criteria for identifying, packaging, and labeling hazardous wastes; prescribe the management of hazardous wastes; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in ordinary landfills. The generator (producer) must retain hazardous waste manifests for a minimum of three years. Hazardous waste manifests provide a description of the waste, its intended destination, and regulatory information about the waste. A copy of the manifest must be filed with the state. The generator must match copies of hazardous wastes manifests with receipts from treatment, storage, and disposal facilities.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act and associated Superfund Amendments provide the EPA with the authority to identify hazardous sites, to require site remediation, and to recover the cost of site remediation from polluters. California has enacted similar laws intended to supplement the federal program. The DTSC is primarily responsible for implementing California's Superfund Law.

State

California Code of Regulation, Title 22, §66261.20.20-24 contains technical descriptions of characteristics that would cause a soil to be classified as a hazardous waste.

The California Hazardous Materials Release Response Plans and Inventory Law of 1985

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles hazardous materials prepare a business plan, which must include the following:

- Detail, including floor plans, of the facility and business conducted at the site.
- An inventory of hazardous materials that are stored or handled on site.
- An emergency response plan.
- A safety and emergency response training program for new employees with annual refresher courses.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

In January 1996, the Cal EPA adopted regulations implementing the Unified Hazardous Waste and Hazardous materials Management Regulatory Program (Unified Program). The program has six elements: hazardous waste generators and hazardous waste on-site treatment; underground storage tanks; aboveground storage tanks; hazardous materials release response plans and inventories; risk management and prevention program; and Uniform Fire Code hazardous materials management plan and inventories. The plan is implemented at the local level.

Hazardous Materials Transportation Regulations

The State of California regulates the transportation of hazardous waste originating in the state and passing through the state (26 CCR). Both regulatory programs apply in California. The two state agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and California Department of Transportation (Caltrans).

Relevant Regulations/Policies related to hazards/hazardous materials are outlined in Section I-6, Safety Element (beginning on page 173) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) for the project was prepared by Kleinfelder, May 2009 (See Appendix B). Potential sources of hazardous wastes are located on the proposed project site that have been addressed in the Phase I ESA. The following is a summary of the results of the Phase I ESA. Please refer to Appendix B for the full text.

"No evidence of the former structures or underground storage tanks (USTs) in addition to the observed UST, were noted at the site. This assessment has revealed no additional evidence of recognized environmental conditions in connection with the site. However, the following are noted for the site:

- The removal of the UST which occurred during the site reconnaissance has been completed. Laboratory data for soil samples collected beneath the UST were non-detect for petroleum hydrocarbons.
- The following potential concerns associated with historical uses of the site, based upon Kleinfelder's experience with similar properties:
- Pipelines containing petroleum products are commonly routed along railroad right of ways. Although Kleinfelder did not observe warning signs for buried pipelines at the site, the presence of buried pipelines should be presumed near the railroad alignment west of the site.
- In Kleinfelder's experience, raisin and produce drying/packing facilities frequently had underground fuel storage tanks/vaults associated with the boiler systems. No documentation was noted during our assessment suggesting the presence of a fuel oil tank servicing as a boiler system at the site. The potential exists that an undocumented fuel oil UST is present at the portion of the site formerly occupied by produce drying/packing facilities.
- Temporary housing was not accessed during the site reconnaissance. Domestic refuse was noted throughout the site and may be present along with potentially hazardous materials in the housing."

CONCLUSION AND DATA

- a, b) The proposed project will consist of construction of the water storage tank, a booster pump station, and a water treatment equipment building, and removal of the asphalt pavement area used for parking. The construction phase of the proposed project may involve the routine use, transport and/or storage of hazardous materials such as small quantities of gasoline, oil, grease, paint, and other material. Hazardous materials such as gasoline, diesel, pesticides and fertilizers will likely be used in areas of the proposed project during normal landscaping maintenance. The proposed project may include a temporary on-site fueling facility for construction equipment. Other hazardous materials that may be used and stored on the proposed site include cleaning products that are commonly used at water storage facilities. Fluoride and sodium hydroxide will be used in the water purification process upon completion of construction of the facility. The use, transport and storage of hazardous materials are regulated at the federal, state, and local level. The asphalt pavement materials from the parking lot will be removed and transported to one of the six asphalt recyclers located around Fresno in compliance with all federal and state regulations. Compliance with existing regulations will reduce the impacts associated with the use, storage, transport, and accidental release of hazardous

materials to a less than significant level. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- c) There are no existing or proposed schools within a one-quarter mile of the proposed project site (City of Fresno 2025 General Plan, Appendix F). There is **no impact.**
- d) The project is located on a site that was previously included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. According to FCEHS records, an underground storage tank was removed from the site in 1992. According to the Phase I ESA an additional underground fuel storage tank was removed in May 2009. The project will comply with existing regulations and recommendations contained in the Phase I ESA to address concerns regarding any potential hazardous materials/substances remaining on site, including undertaking of a Phase 2 which is currently underway. The City will proceed with site remediation identified in the Phase 2 until such time as it receives a No Further Action Required letter. This will be required prior to construction of the project. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- e, f) The project is not located within the vicinity of Chandler Airport, Sierra Sky Park, or the Fresno Yosemite International Airport (FYI). An Airport Land Use Plan has been prepared for FYI: the project is not located within the FYI Land Use Plan, but is located 4 miles from the Fresno Yosemite Air Terminal, 2 miles from the Fresno Chandler Airport, and 8 miles from the Sierra Sky Park. There is **no impact.**
- g) The project will not impair the implementation of, or physically interfere with, the City of Fresno's Emergency Operations Plan. There is **no impact.**
- h) The proposed project site is currently surrounded by commercial and light industrial properties. These urban properties are typically well maintained with few fire hazards. Additionally, the City of Fresno Uniform Fire Code requires appropriate safety measures to minimize or eliminate the risk of fires. There is **no impact.**

Proposed Mitigation: It was determined that there are no significant adverse impacts resulting from hazardous materials, therefore, no mitigation is proposed.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects from hazardous materials beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002

- City of Fresno, "Fresno Yosemite International – Airport and Environs Plan", June 1997
- City of Fresno, "Sierra Sky Park Land Use Policy Plan Map",
<http://www.fresno.gov/NR/rdonlyres/DA0B5586-70AA-4AD8-BAC3-A5B2D8717EBE/0/sierraskypark.pdf>, accessed March 28, 2007
- Kleinfelder, "Phase I Environmental Assessment Updates," May 2009

Issues:

HYDROLOGY/WATER QUALITY – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be 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 which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 which would impede or redirect flood flows?
- 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?
- j) Inundation by seiche, tsunami, or mudflow?

Hydrology/Water Quality Discussion

This environmental issue focuses on the impacts of a project on surface and groundwater, including compliance with water quality standards and regulation, depletion of groundwater supplies, pollution or degradation of water quality. Additional concerns include water-related hazards such as flooding, mudflows and similar hazards. This area of environmental concern also addresses potential project impacts on area drainage, including storm water runoff.

All public water systems are subject to the California Safe Drinking Water Act of the Health and Safety Code, and both the Domestic Water Quality and Monitoring Regulations and the California Waterworks Standards, contained within the California Code of Regulations (CCR). These codes and standards set permitting requirements, operating standards, sampling and monitoring type and frequency, and such other requirements as operator sampling, reporting, and public notification. The California Department of Public Health is responsible for permitting, monitoring and inspection of small Public Water Systems and State Small Water Systems within Fresno County.

The City of Fresno relies on groundwater and recharge as its primary source of water. The City overlies the Kings Subbasin of the San Joaquin Valley Groundwater Basin. This Subbasin includes most of Fresno County, as well as Tulare and Kings Counties. Results of pump tests conducted for the City between 1995 and 2006 show that groundwater wells in the Project area have the second-highest level of transmissivity in the City (57,000 to 369,000 gpd/ft) (City of Fresno, Urban Water Management Plan, August 2008). This Plan states that, "Transmissivity indicates the ability of an aquifer to transmit groundwater, while the specific capacity indicates the ability of a particular well to produce that water; hence, any future groundwater wells should be located in areas of higher transmissivity."

According to the City of Fresno's Urban Water Management Plan, groundwater levels in the Fresno area have declined by an average of 1.5 feet per year since 1990; however, in the Project area, declines in groundwater levels were less than .5 feet per year on average.

Groundwater protection and remediation programs are a priority for the City in meeting its strategic water management objectives. The region is entering a third drought year, and the City has implemented measures to reduce water use by 10 percent. In addition, the City began

operating its first Surface Water Treatment Facility (SWTF) and delivering water on June 14, 2004. The SWTF is needed to provide current and future customers with water that is treated to drinking water standards. The SWTF also offers a number of advantages, including increased water pressure and enhanced reliability. A second SWTF is planned in southeast Fresno to meet demands anticipated by the growth implicit in the 2025 General Plan. Although the City of Fresno continues to rely on groundwater and recharge as its primary source of water, supply from the SWTF does, provide a significant supplement to groundwater. The benefit is widespread, as the City's underground aquifer is no longer the sole source of water. This allows the aquifer to replenish through natural and artificial recharge. The surface supply of water along with enhanced groundwater recharge and conservation will balance Fresno's groundwater budget.

The City intends to reduce pumping of groundwater in future years. In 2010, groundwater will supply approximately 81 percent of the total water supply; by 2015 groundwater will supply 51 percent of the total, and by 2020 groundwater will provide only 40 percent of the total. The City's agreements with other members of the Fresno Area Regional Groundwater Management Plan will include means to recycle treated water (for landscaping purposes) and use surface water, as well as expand their current water conservation program.

The downtown area currently receives the majority of its water supply from five wells. Opportunities to increase the water supply from outside the downtown area are limited. Existing infrastructure, including the location of City's three major highways surrounding downtown, would make future construction of infrastructure to supply the downtown area difficult. Additionally, two of the existing wells are considered unreliable, as they were constructed over 50 years ago; one has a decline in water level while the other has recorded sanding issues. The tank would be used to meet existing downtown water demands and provide an adequate fire supply for future redevelopment.

A technical study was conducted and a memorandum prepared by West Yost Associates, Consulting Engineers, in early 2009 to determine current water storage capacity and use, and to estimate future water needs for the downtown area. The memorandum concluded that current storage capacity is insufficient to meet expected needs, as 1) two of the five current wells do not perform reliably, 2) water pressure decreases to levels below the 40 psi minimum criteria in some areas during peak hour demands, and 3) revitalization in the downtown area is expected to result in higher density and associated higher water demand in future years. As a result of the study, West Yost Associates recommended that a storage tank of at least two million gallon capacity be constructed downtown, as well as other measures to improve existing infrastructure.

Construction of the tank will have no effect on existing demands, but will increase the supply available for peak demands, as well as future needs. The tank will initially be filled from the existing distribution system. Ultimately, the tank will be filled from a 24-inch water main from west Fresno (PS 172). The filling will not result in an increase in pumping beyond what PS 172 was designed and built for and therefore will not increase water use beyond that already planned for when PS 172 was constructed. The water tank may also be filled at a later date by water from the new SWTF in southeast Fresno. The proposed project would allow for filling of the

new water tank without construction of an additional well. It would also provide for groundwater recharge at its current rate during off-peak demand hours.

The City of Fresno 2025 General Plan Objective E-22 states that the City will manage and develop the City's water facilities to ensure safe, economical, and reliable water supply for existing and planned urban development and economic diversification.

The following General Plan policies support the implementation of the proposed project in meeting Objective E-22.

- Policy E-22-a.: The Departments of Public Utilities and Public Works will develop and use available and innovative tools as necessary to forecast demand on water production and distribution systems by urban development, and to determine appropriate facility needs.
- Policy E-22-d: Continue to evaluate existing water production and distribution systems and facilitate necessary repair or enhancement of damaged or antiquated facilities.
- Policy E-22-e: Capital improvement costs and benefits of new or upgraded water production and distribution facilities shall be allocated equitably and fairly between existing users and new users, consistent with economic diversification strategies.
- Policy E-22-h: Implement appropriate measures consistent with water system policies, including the removal of pump stations from active use, installation of well-head treatment facilities, construction of above-ground storage and surface water treatment facilities, and enhancement of transmission grid mains to ensure adequate water quality and quantity.

The Fresno Metropolitan Flood Control District (FMFCD) is responsible for storm drainage and flood control in the City of Fresno. FMFCD's local storm water drainage system consists of storm drains, detention and retention basins, and pump stations. The system is designed to retain and infiltrate as much stormwater and urban runoff as possible. FMFCD's Storm Drainage and Flood Control Master Plan includes 161 drainage areas, each providing service to approximately one to two square miles. All but five of the developed drainage areas are served by a retention or detention facility.

The City of Fresno General Plan Objective E-23 states that the City will provide facilities to protect lives and property from stormwater runoff and hazards. As such, the City coordinates with FMFCD to ensure that development is consistent with FMFCD's Master Plan.

The proposed project will comply with Policy E-23-d, which states, "The City of Fresno shall coordinate construction with other public and private agencies, particularly with respect to

streets, sewerage, water, gas, electric, and irrigation improvements, with flood control facilities to seek the greatest public benefit at the least public cost.”

The Downtown Fresno Water supply is provided by five water wells located within the area bounded by Freeways 41, 99, and 180. The Freeways create barriers restricting water supply flows developed in other areas of the City from entering the downtown area due to the limited number of water mains crossing the Freeways. Two of the five downtown wells have been in service for 50 years or longer, and no longer operate reliably. The potable water system in the downtown portion of the City of Fresno is experiencing increasingly frequent episodes of low system pressure caused by inadequate water supply pumping in the area. Peak demands exceed the existing system's ability to maintain normal system pressures. Recent estimates indicate this portion of the City's system currently has a water supply deficit at peak conditions. Low water pressure in the area could result in the potential for substandard fire protection, limitations to future development, and water use restrictions. Recent water system hydraulic network modeling indicates that new facilities in this area could be used to help alleviate water supply deficiencies in a portion of the area. The planned facilities include a water storage tank, a booster pump station, and a water treatment equipment building.

The proposed project site is located within Flood Zone “X” which is an area determined by the Federal Emergency Management Agency (FEMA) to be outside the 100-year Flood Plain (Firm Map No. 06019C2110F).

The Fresno County GIS database show that the proposed project site is not within a dam failure inundation area (Fresno County General Plan -- Figure 9-8, October 3, 2000).

The proposed project is not located near a body of water that could generate seiche or tsunami effects. The site is level and will not be exposed mudflow events.

Relevant Regulations/Policies related to hydrology are outlined in Section G-2 through G-4, Resource Conservation Element (beginning on page 134) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) The project will not violate any waste discharge requirements of the Regional Water Quality Control Board or the Water Resources Control Board of the State of California. The project will comply with the California Safe Drinking Water Act of the Health and Safety Code, and both the Domestic Water Quality and Monitoring Regulations and the California Waterworks Standards, contained within the California Code of Regulations (CCR). The project may be required to comply with Federal Regulations for storm water runoff issued by the U.S. EPA on November 16, 1990 (40 Code of Federal Regulations

Parts 122, 123, and 124). There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- b) The proposed project will allow for adequate supply of water to existing and planned development in the Downtown Fresno area. The current plan, which will allow for filling of the tank during off-peak demand hours, will not negatively impact current users, as it will be filled from water produced at PS 172 in west Fresno. The proposed project will allow groundwater recharge to occur at the present rate. The supply of water is consistent with implementation of the Central Area Community Plan and the 2025 General Plan. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c-e) The proposed project will result in construction of a water storage tank, a booster pump station and a water treatment equipment building. The site currently includes a concrete foundation for a previous building and a paved parking lot on an urban lot. The water storage tank and associated buildings are not expected to significantly affect the amount of land available for percolation and surface runoff, or have a direct impact on the storm water runoff potential of the property. The project will be required to comply with City of Fresno Municipal Code §14-301, "Urban Storm Water Quality Management and Discharge Control Ordinance of the City of Fresno." Additionally, as noted above, the project may be obligated to comply with U.S. EPA regulations with respect to storm water (40 Code of Federal Regulations, Part 122, 123, and 124). The City of Fresno has adopted Municipal Code §14-314, "Requirement to Prevent, Control, and Reduce Storm Water Pollutants," to reduce impacts on storm water quality through the application of Best Management Practices to project storm water system design. Also, the City of Fresno Municipal Code, §12-1023, Grading and Erosion Control, includes provisions that will reduce the impacts from construction.

Prior to construction activities, a Storm Water Pollution Prevention Plan (SWPPP) will be required and approved by the State Water Resource Control Board. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures that will be taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls and silt fences) and permanent (e.g., vegetated swales and riparian buffers) best management practices that will be implemented to prevent pollutants from discharging with storm water into waterways. In addition, compliance with the National Pollutant Discharge Elimination System, General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activities (General Permit) will be required. The project will adhere to regulatory requirements. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- f) The project will comply with all applicable water quality discharge standards of the Regional Water Quality Control Board and is, therefore, not likely to result in a substantial degradation of water quality. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- g) The proposed project does not include housing development. The proposed project is not located within a 100-year flood hazard area. There is **no impact**.
- h) The proposed project is not located within a 100-year flood hazard area. There is **no impact**.
- i) The project site is not within a dam failure inundation area. There is **no impact**.
- j) The proposed project is not subject to seiche or tsunami hazards. The project is not in an area that would be at risk from mudflow hazards. There is **no impact**.

Proposed Mitigation: No mitigation is required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to hydrology/water quality beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "Phase I Environmental Site Assessment," May 2009
- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Fresno Metropolitan Water Resources Management Plan", May 1994
- City of Fresno, "Urban Water Management Plan," August 2008
- City of Fresno Zoning Ordinance
- Federal Emergency Management Agency, Flood Insurance Rate Map, Fresno County, California and Incorporated Areas, Panel 2110 of 3550, Map Number 06019C2110F, July 2001.
- West Yost Associates, Consulting Engineers, "Technical Memorandum with Subject: Hydraulic Evaluation of the Downtown Triangle Area," January 2009

<u>Issues:</u>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
LAND USE/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 the 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"/>

Land Use/Planning Discussion

This environmental issue focuses on the impacts of a project on adopted land use, habitat conservation or natural community conservation plans. The specific focus of this area of environmental concern is the project’s potential to conflict with established plans and policies or the potential for the project to physically divide a community area.

The proposed project is located within the Central Area Community Plan boundary and the Convention Center Redevelopment Area. The Land Use Element of the Central Area Community Plan seeks to restore and develop the Central Area as an urban center, and encourages the concentration and intensification of environment in a concept that promotes its urban characteristics and distinguishes it from its suburban counterparts. One unique feature of the Central Area Community Land Use Plan is an emphasis on integrating a “mixed use” concept to provide innovative, flexible development alternatives and unique living/working environments in order to better respond to the potentials for a diverse urban market. The Land Use Plan is based on types of land uses already established by code, and new types of land uses tailored to the Central Area situation.

The Central Area Community Plan has an infrastructure goal of providing an effective, comprehensive infrastructure system to support existing development, accommodate growth and enhance the vitality of the Central Area. Central Area Community Plan Infrastructure Policy 1 establishes the City of Fresno and other public agencies that are responsible for provision of the streets, sewer, water, and storm drainage components of the Central Area’s infrastructure system to maintain, complete, and improve the infrastructure systems.

The proposed project site is designated Commercial Mixed Use, Level 2 (C/MX-2) [City of Fresno General Plan, City of Fresno Central Area Community Plan]. This designation allows the implementation of the mixed use concept within the professional office, commercial and

residential range of land uses. The purpose of the C/MX-2 designation is to permit a mixed use concept to enhance the development potentials of the existing environment within the Central Area and permit the most flexible range of development options to attract new developments.

The City of Fresno General Plan policy C-2-c states that the General Plan will promote the Central Area Community Plan consistent with the 2025 General Plan objectives and policies to enhance the area's role as the focal point of regional governmental, entertainment, civic and business activities with supporting commercial uses and substantially increased residential opportunities to achieve a pleasing, vibrant and active cosmopolitan environment. This policy includes the objective to pursue all appropriate strategies to stimulate new office, commercial, and residential development within the Central Area Community Plan, including providing facilities and amenities to attract a broad range of residents.

The City of Fresno General Plan also includes the following objective, C-17 to encourage and facilitate urban infill by building and upgrading community and neighborhood public infrastructure and services that will enhance public health and convenience and the overall experience and quality of city living. Policy C-17-c includes public utility upgrades as part of this objective.

The proposed project site is zoned General Manufacturing (M-2). According to the City of Fresno Municipal Code §12-224. The "M-2" General Manufacturing District is intended to provide for the establishment of industrial uses essential to the development of a balanced economic base. The proposed project is a permitted use in this zoning district [City of Fresno Municipal Code 12-226.1A, Public Utility Service Yards with Incidental Buildings (J) and Water Pump Stations (M)].

Relevant Regulations/Policies related to land use are outlined in Section C, Urban Form Element (beginning on page 20) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) There are no established communities within the vicinity of the proposed project site that would be divided as a result of project development. The properties to the north, south, east and west are currently used as commercial and light manufacturing. The proposed project would be consistent with the development density pattern in this portion of the Central Area Community Plan. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b) The City of Fresno General Plan designates the proposed project site as commercial mixed use level 2 (C/MX-2). The Zoning Ordinance designates the project site as Commercial and Light Manufacturing (C-M). The proposed project will be consistent with all applicable goals, objectives, and polices of the City of Fresno General Plan and

the Central Area Community Plan. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- c) The proposed project will not conflict with any habitat conservation plan or natural community conservation plan. There are no such plans governing the proposed project site. There is **no impact.**

Proposed Mitigation: As a result of this analysis, there are no significant adverse impacts to Land Use/Planning and no mitigation is proposed.

Mitigation Monitoring: None applicable

The proposed project would not contribute significant environmental effects to land use beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998
- City of Fresno, Downtown Zoning Map, <http://downtownfresnohousing.com/zoning.html>, accessed March 26, 2007.

Issues:

MINERAL RESOURCES – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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"/>

Mineral Resources Discussion

This environmental issue focuses on the impacts of a project on known mineral resources of commercial or otherwise documented economic value.

According to the City of Fresno General Plan the principal mineral resources found in the Fresno area are aggregate materials along the San Joaquin river corridor. Mineable aggregate mineral resources also are located along the Kings River corridor and several streambeds on the western edge of Fresno County.

The Aggregate Mineral Resource Zones Map prepared by the California Department of Conservation does not include the proposed project site (City of Fresno General Plan, Exhibit 11).

The proposed project site is not located in any Mineral Resource Zone identified by the California Department of Conservation-Division of Mines and Geology Mineral Land Classification Surveys (City of Fresno General Plan, Exhibit 11).

Relevant Regulations/Policies related to mineral resources are outlined in Section G-7 and G-8, Resource Conservation Element (beginning on page 139) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) The project site is not located in any Mineral Resource Zone. There is **no impact**.
- b) The proposed project is not located in an area designated in the City of Fresno General Plan as a locally important mineral resource recovery site (City of Fresno General Plan, Exhibit 10). There is **no impact**.

Proposed Mitigation: As a result of this analysis, there are no significant adverse impacts to Mineral Resources and no mitigation is proposed.

Mitigation Monitoring: None Applicable.

The proposed project would not contribute significant environmental effects to mineral resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

Issues:

NOISE – would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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"/>
f) For a project within the vicinity of a private airstrip, would the project 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"/>

Noise Discussion

This environmental issue focuses on the impacts of a project with respect to noise or ground-borne vibration. The creation of new noise or ground-borne vibration conditions or activities that will result in people or property being exposed to existing noise or vibrations is the primary area of focus under this environmental issue.

Noise is generally defined as loud, unpleasant, unexpected or undesired sound that is typically associated with human activity and interferes with or disrupts normal activities. Federal, State, and local regulations have been developed to avoid noise impacts.

The federal Noise Control Act of 1972 established a national policy “to promote an environment for all Americans free from Noise that jeopardizes their public health and welfare.” The Act provides for a division of powers between the federal, State, and local governments, in which the primary federal responsibility is for noise source emission control, with the states and other agencies retaining the rights to control noise sources and the level of noise within their communities and jurisdictions. The Noise Control Act was supplemented by the Quiet Communities Act of 1978.

The State of California Office of Noise Control has developed compatibility guidelines to minimize noise exposure to a variety of land uses. The recommended noise metric to be used is the Community Noise Equivalent Level (CNEL).

The City of Fresno General Plan Noise Element includes the following objective: to protect the citizens of the city from the harmful and annoying effects of exposure to excessive noise. According to the City of Fresno General Plan Noise Element, the City’s longstanding 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. The City of Fresno has also adopted Article 3, §8-301, also known as the “Noise Ordinance of the City of Fresno” to provide nuisance noise abatement. The Noise Ordinance defines ambient noise as the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. The City of Fresno Noise Ordinance prohibits excessive noise. The Noise Ordinance §8-305 is particularly relevant to the proposed project as it prohibits excessive noise from machinery or equipment, such as fans, pumps, air conditioning units, engines, turbines, compressors, generators, motors or similar devices, equipment, or apparatus and construction equipment or work, including the operation, use or employment of pile drivers, hammers, saws, drills, derricks, hoists, or similar construction equipment or tools.

The City of Fresno General Plan MEIR, established maximum land use/noise compatibility standards for industrial and manufacturing land uses up to 75 CNEL (or dB) and for office and commercial buildings up to 70 CNEL (or dB). The surrounding project area is categorized as moderately sensitive to insensitive to noise (City of Fresno General Plan MEIR).

According to the City of Fresno General Plan MEIR, noise sources that are temporary in nature include construction activities and depending on the equipment used and distance between the activity and the receptor, noise levels from certain activities, such as earthmoving and grading, can generate elevated levels of noise. Construction of the proposed project will generate noise from construction equipment. Typical construction equipment would include scrapers, backhoes, and miscellaneous equipment (e.g. pneumatic tools, generators and portable air compressors). Noise levels generated by this type of construction equipment at businesses nearest to the proposed project are estimated in Table 3-3.

**Table 3-3
Estimated Noise Levels**

Construction Equipment Noise Source	Typical Noise Level (dB) (distance from source)		
	635 feet	1160 feet	1585 feet
Pneumatic tools	62.9	57.7	55
Truck (e.g. dump, water)	65.9	60.7	58
Concrete mixer (truck)	62.9	57.7	55
Scraper	65.9	60.7	58
Bulldozer	64.9	59.7	57
Backhoe	62.9	57.7	55
Generator	53.9	48.7	46
Portable air compressor	58.9	53.7	51
Cumulative Total	76.6	71.4	68.7

Modified from *Environmental Noise Pollution* (Cunniff, 1977)

If all of this equipment were used simultaneously, the noise level at the nearest receptors would range from 68.7 dB to 76.6 dB.

Post-construction noise will be generated by the motors and pumps, and possibly the back-up generator. According to the City of Fresno General Plan MEIR, water wells have a limit of 55 dBA at the property line of any receiver.

The proposed project is not located near any private or public airport (City of Fresno General Plan, Exhibit 5-B, Exhibit 5-C, Exhibit 5-D, and City of Fresno-Fresno Air Terminal/Yosemite International Environs Area Specific Plan, 1997).

Relevant Regulations/Policies related to noise impacts are outlined in Section H, Noise Element (beginning on page 160) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) Construction of the proposed project includes the excavation and transportation of soil off-site, installation of the water storage tank, construction of the maintenance building and related appurtenances. The noise associated with these construction activities depends on the equipment used and the distance from the noise source to sensitive receptor. The receptors in the project's vicinity are classified as moderately sensitive to insensitive to noise. The project will comply with the Noise Element to restrict hours of noise producing equipment to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- b) The project is not of the type that can reasonably be expected to generate ground-borne vibration or ground-borne noise. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c) The project will result in a permanent increase in the ambient noise level of the area; however, this increase will be compatible with the mixed uses in the area. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- d) Construction of the proposed project includes the excavation and transportation of soil off-site, installation of the water storage tank, construction of the maintenance building and related appurtenances. The noise associated with these construction activities depends on the equipment used and the distance from the noise source to sensitive receptor. The receptors in the project's vicinity are classified as moderately sensitive to insensitive to noise. The project will comply with the Noise Element to restrict hours of noise producing equipment to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- e) The proposed project is not within an airport land use plan (City of Fresno-Fresno Air Terminal/Yosemite International Environs Area Specific Plan, 1997). The proposed project is not within two miles of Chandler Air Terminal, Sierra Sky Park, or the Fresno Yosemite International Airport (City of Fresno General Plan). There is **no impact.**
- f) The proposed project is not within the vicinity of a private airstrip nor would it expose people residing or working in the project area to excessive noise levels (City of Fresno General Plan). There is **no impact.**

Proposed Mitigation: None are required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects resulting from noise impacts beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998
- City of Fresno, Noise Ordinance

<u>Issues:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population and Housing Discussion

This environmental issue focuses on the impacts of a project on population and housing, including population growth or displacement of human population and housing.

A population and employment growth forecast for the Fresno County region prepared by the Central California Futures Institute (CCFI) for the Council of Fresno County Governments indicated that the population of the county will increase by 479,407 people between the years 2000 and 2025. Consistent with historical development and growth trends, the City of Fresno General Plan assumed that approximately 61% of the county population will be accommodated within the Fresno Metropolitan Area. The General Plan therefore, assumed a population capacity of 799,000 over the 25-year planning horizon.

The proposed project consists of the construction of a three million gallon water storage tank, booster pump station, and related appurtenances. The proposed project is being implemented due to reductions in available water supply in the vicinity of the downtown area, and an expected increase in population density associated with the proposed revitalization effort in downtown Fresno. Two of five existing wells function at levels insufficient to maintain peak-hour water pressure necessary to support existing demands and future redevelopment. With future distribution enhancements, the Tank will be capable of delivering a peak-hour water supply of up to 10,000 gallons per minute for existing and future multi-story buildings.

CONCLUSION AND DATA

- a) By improving infrastructure, the proposed project will allow for redevelopment activities consistent with the City of Fresno General Plan and the Central Area Community Plan.

The proposed project would not induce growth beyond the General Plan projections. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- b, c) There are no residences on the proposed project site. No displacement of persons or housing is proposed. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: None are required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to population/housing beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

Issues:

PUBLIC SERVICES – Would the project:

	Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
--	---	--	---	---------------------

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impact, in order to maintain acceptable service ratios for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Public Services Discussion

This environmental issue focuses on the impacts of a project on public service facility needs and the potential environmental impacts of developing and/or expanding these facilities. Facility needs can be defined by the need to maintain acceptable levels of service such as response times or other such community service standard as may apply.

The project area is currently within Fresno’s city boundary. The City of Fresno is a full-service city providing fire, police, parks, sewer, water, and refuse disposal. The Fresno metropolitan area is served by several school districts (four unified districts, one high school district and four elementary school districts). The Fresno Unified, Central Unified, Clovis Unified, and Sanger Unified serve the major residential portions of the planning area. Fowler Unified School District, Washington Colony and Washington Union High, West Fresno Elementary, West Park and Orange Center School Districts serve smaller portions of the metropolitan area.

Relevant Regulations/Policies related to public services are outlined in Section E-24 through E-29, Public Facilities Element (beginning on page 91) of the City’s 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City’s development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) The proposed project will provide enhanced public water service. The proposed project does not rely on the addition or alteration of any other public services. The subject site is already developed and receives needed services from existing agencies and departments. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

Proposed Mitigation: As a result of this analysis, it was determined that there are no significant adverse impacts to Public Services and no mitigation is proposed.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to public services beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

Issues:

RECREATION – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Recreation Discussion

This environmental issue focuses on the impacts of a project on public recreation service and facility needs and the potential environmental impacts of developing and/or expanding recreation facilities. Facility needs can be defined by the need to maintain acceptable levels of community recreation service in the area and region.

Relevant Regulations/Policies related to recreation are outlined in Section F, Resource Open Space/Recreation Element (beginning on page 97) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

Conclusion and Data

- a) The proposed project will not increase the use of existing neighborhood and regional parks or other recreational facilities. There is **no impact**.
- b) No recreational facilities are proposed to be constructed in conjunction with the project. There is **no impact**.

Proposed Mitigation: As a result of this analysis, it is determined that there are no significant adverse impacts to Recreation resources and no mitigation is required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to recreational resources beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

<u>Issues:</u>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

Transportation/Traffic Discussion

This environmental issue focuses on the impacts of a project on transportation systems including roads and highways, public transportation systems, pedestrian circulation and access, parking, and emergency access. Impacts can be in the form of new hazardous circulation or traffic conditions, conflict with existing plans or policies, or creation of an unacceptable traffic level on a transportation system or facility.

City of Fresno General Plan Policy E-1-a implements a classification street system in accordance with adopted engineering design standards and the 2025 General Plan Land Use Circulation Map

and the Transportation Element Map. The proposed project site is bounded by Santa Clara Street on the northeast and northwest (it does not cross the railroad tracks immediately north of the project site), H Street on the northeast, railroad tracks and then G Street to the southwest, and San Benito Street on the southeast. All of the roadways that surround the proposed project site, except San Benito Street, are defined as collectors. The City of Fresno defines a collector street as: two- to four-lane undivided roadways, with the primary function of connecting local streets and arterials and neighborhood traffic generators and providing access to abutting properties. San Benito Street functions as a frontage road and on-ramp to State Highway 41 South, and is currently closed to traffic. The railway line provides some constriction to the flow of traffic because, as is noted above, it requires that Santa Clara Street become a dead-end on both the east and west sides of the proposed project area.

Construction projects and improvement of major streets are implemented over time in accordance with General Plan policies, city standards and policies, provisions in the Fresno Municipal Code, and the California Street and Highway Code. Funding of these improvements originates from numerous sources including private property owners (adjacent street improvements required for property development permits), street impact development standards and fees (Urban Growth Management Program), locally generated fund tax revenues (including redevelopment area tax increment funds), locally established transportation fund taxes ("Measure C"), and state and federal gas tax funds. The City of Fresno is currently revising its street impact development fees; however, the proposed project will not be subject to this fee as public facilities are exempt.

The MEIR prepared for the City of Fresno 2025 General Plan identified significant impacts to traffic as a result of implementing the General Plan. Increased levels of traffic will adversely affect both the City's major street network and the State Highway System. The MEIR evaluated existing transportation corridors to determine what changes they will experience in the year 2025. Ventura Avenue, which lies two blocks north of the project site, from B Street to State Route 41 was identified in the MEIR as having a "constrained capacity", defined as "those street segments in which the Level of Service (LOS) is projected to be worse than "D" without additional mitigation." The other roads in the immediate vicinity of the proposed project site were not listed as having constrained capacity. Ventura Avenue is expected to experience an increase in traffic in the future that is unrelated to this project. Except for the period of site preparation and tank and building construction, and pipeline construction in the H Street ROW, this project will not lead to increased traffic on H Street or any other streets bordering or adjoining the project area.

The City of Fresno General Plan Policy E-1-f allows a LOS "D" as the acceptable level of traffic congestion on major streets. LOS "D" according to Caltrans and the Council of Fresno County Governments (COG) accepted LOS criteria, as developed by the Florida Department of Transportation, means moderate congestion at peak traffic periods; approaching unstable flow with reduced speeds, limited maneuverability, and loss of convenience; average speeds range from 9 to 17 miles per hour on arterials with stopped delays of 40 seconds or less.

Table VB-4 in the MEIR shows the effects of proposed mitigation on State highways and the City street network for major roadway segments. The table shows the number of lanes required to achieve an LOS of "D" in the year 2025, as well as the number of lanes believed by the City and Caltrans to be feasible. Ventura Avenue from B Street to State Route 41 will require six lanes in order to remain at an LOS of "D" in the year 2025. The MEIR then determined the accepted LOS by applying the criteria of the Florida Department of Transportation, 1998 Level of Service Handbook (Florida Table 5-4), to the average daily traffic volume forecasted for the year 2025 by the COG 2001 Fresno County Model, and the number of travel lanes determined to be reasonably implemented given existing property improvements along street or highway alignments. Ventura Avenue from B Street to State Route 41 was projected to be at an LOS "F" in the year 2025.

The proposed project may include extraction and removal of dirt and asphalt paving materials, and construction of an above ground water storage tank, a booster pump station, and a water treatment equipment building. The number of vehicle trips associated with the existing land use (light commercial zone) is about 113 trips per day, and is expected to decrease significantly to only five to ten trips per week upon completion of the project. Once the storage tank is operational, the traffic to the site will be limited to one or two employees visiting the site two or three times per week. The proposed project will not cause the LOS to fall to a level of "F" before the year 2025 and, therefore, according to the MEIR Mitigation Measure B-3, does not require a traffic and transportation evaluation.

The site preparation and construction phases of the proposed project will cause a temporary increase in traffic. Depending on the construction activities, this increased traffic will vary in both size and frequency of vehicles entering and leaving the site. The most significant activities would include: hauling of excavated earth and paving materials, concrete pours, and installation of the tank framing. The increased traffic associated with construction is significant; however, the impact is less than significant.

Construction will encroach on the H Street right-of-way, and may disrupt adjacent property and businesses access. However, the only adjoining businesses, a parts storage yard and commercial warehouse, are located on San Benito Street, so that disruption would be minimal. Any traffic hazard or impacts would be reduced by mitigation measures to a less than significant level.

The proposed project is located in an urban location with limited parking. The proposed project will require temporary parking for construction workers, which is available on site.

Relevant Regulations/Policies related to traffic/transportation are outlined in Section E-1 through E-17, Public Facilities Element (beginning on page 67) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a, b) The proposed project will not affect any transportation patterns or increase traffic in the long-term. There will be an increase in the local area traffic related to construction activity for the project. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c) The proposed project site is not within an airport land use planning area. There is **no impact.**
- d) The proposed project contains no traffic-related design features or incompatible uses. Project construction may cause traffic related delays with the addition of truck traffic. There is **no impact.**
- e, f) Emergency access will not be altered, and no long-term additional parking capacity is required. Construction of the tank and related appurtenances may require possible temporary lane closure and re-routing of traffic. Construction activity will require additional parking for construction workers with may be found on site or on neighboring properties. The project will adhere to City regulations, standard construction safety procedures to reduce the traffic impact from demolition and construction. There is **no impact.**
- g) The proposed project will not conflict with adopted alternative transportation policy. The City of Fresno operates fixed route and on-demand service within the community. There is **no impact.**

Proposed Mitigation: None are required.

Mitigation Monitoring: None apply.

The proposed project would not contribute significant environmental effects resulting from traffic/transportation beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

<u>Issues</u>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
UTILITIES/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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider who 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Utilities/Service Systems Discussion

This environmental issue focuses on the impacts of a project on public utility systems or facilities such as water, wastewater, stormwater drainage or other utility or service systems.

The City of Fresno is a designated Regional Sewer Agency for providing sewer services and wastewater treatment for the Fresno and Clovis Metropolitan Area.

The Fresno Metropolitan Flood Control District is the agency responsible for constructing and maintaining the flood and drainage control facilities in the Fresno and Clovis Metropolitan Area.

The City of Fresno provides for the collection of solid waste from residences and commercial and industrial uses within its City limits. After collection by the City, solid waste is transported to the American Avenue Landfill which is owned and operated by the County of Fresno, or to the Orange Avenue Landfill, a private operation.

The main provider of electrical power and natural gas in the Fresno Metropolitan area is Pacific Gas & Electric (PG&E), which maintains an extensive network of high- and low-voltage electrical lines and substations and natural gas mains and related facilities.

The proposed project will not impact any existing utilities.

Relevant Regulations/Policies related to utilities and service systems are outlined in Section E-18 through E-23, Public Facilities Element (beginning on page 86) of the City's 2025 General Plan. The 2025 General Plan governs the distribution and intensity of land uses, sets the principles for evaluating development, and provides guidance in the City's development and growth. The General Plan is available at the City of Fresno at 2600 Fresno Street on the Internet at www.fresno.gov.

CONCLUSION AND DATA

- a) Project construction will not exceed wastewater treatment requirements established by the Central Valley Regional Water Quality Control Board or any other federal or state water discharge standard. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- b) The proposed project is the construction of a new water delivery facility and will be required to meet all applicable standards for such systems and will not cause significant environmental effects. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- c) (Please refer to the Hydrology and Water Quality section for a complete discussion regarding the storm water drainage issue.) The proposed project will result in the construction of a water storage tank, a booster pump station, and a water treatment equipment building. The construction will not significantly decrease the amount of land available for percolation or decrease surface runoff, as the facility replaces a previous building and paved parking lot which covered much of the property. The project will not have a substantial direct impact on the storm water runoff potential of the property. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR..**
- d) (Please refer to the Hydrology and Water Quality section for a complete discussion regarding the water supply issue). The project will have sufficient water supply from

existing entitlements and resources. There is **no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- e-g) The proposed project will not result in an addition to the wastewater treatment plant's existing commitments; will not have an impact on solid waste disposal needs, or affect federal, state, and local statutes and regulations related to solid waste. There is **no impact.**

Proposed Mitigation: None required.

Mitigation Monitoring: None applicable.

The proposed project would not contribute significant environmental effects to utilities beyond those previously analyzed in the 2025 Fresno General Plan MEIR.

Persons Contacted and Information Consulted:

- City of Fresno, "2025 General Plan", February 2002
- City of Fresno, "Master Environmental Impact Report - 2025 General Plan", May 2002
- City of Fresno, "Central Area Community Plan", July 1998

Issues:

MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have possible environmental effects that are individually limited, but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Will the environmental effects of a project cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) This site is not considered to be prime habitat for rare or endangered species. On the basis of an analysis of the project and its potential adverse physical environmental impacts, as described above, it has been determined that the project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

As stated in the Cultural Resources section, there is the limited potential during project-related excavation and construction for the discovery of cultural resources or any human remains. Such discovery would be a potentially significant impact, but can be mitigated to a less than significant level. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

- b, c) The increase of emissions from construction of the project are considered by the San Joaquin Valley Air Pollution Control District (SJVAPCD) to be less than significant by complying with the SJVAPCD's Regulation VIII mandatory dust control measures. Following these measures and incorporating the recommended optional dust control measures will reduce air quality impacts to a less than significant level. Additionally, and on the basis of an analysis of the project effects on the environment, it has been determined that the project will contribute to temporary changes, such as increased noise, and traffic. These effects are individually limited, will be mitigated to reduce impacts, and will not constitute a cumulatively considerable impact. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**
- d) A review of the project proposal and its potential environmental effects have resulted in the determination that the project design, location or general characteristics does not have the potential to result in substantial adverse effects on human beings, either directly or indirectly. **There is no impact beyond what was already analyzed in the 2025 Fresno General Plan MEIR.**

SECTION FOUR
MITIGATION MEASURE CHECKLIST

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097
FOR THE 2025 FRESNO GENERAL PLAN**

Project/EA No.

Date:

Mitigation Monitoring Checklist

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

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above-noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit E thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

NOTE: Letters B-Q in mitigation measures refer to the respective sections of Chapter V of MEIR No. 10130

Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Planning and Development Dept.	X		X
---	---------	--------------------------------	---	--	---

A

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097
FOR THE 2025 FRESNO GENERAL PLAN**

Project/EA No.

Date:

Mitigation Monitoring Checklist

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

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above-noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit E thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

NOTE: Letters B-Q in mitigation measures refer to the respective sections of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>J-1. If the site of a proposed development or public works project is found to contain unique 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:</p> <ul style="list-style-type: none"> a. Amending construction plans to avoid the resources. b. Setting aside sites containing these resources by deeding them into permanent conservation easements. c. Capping or covering these resources with a protective layer of soil before building on the sites. d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft. 	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Planning and Development Dept.</p>	<p align="center">X</p>				<p align="center">X</p>	
<p>J-2. 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.</p>	<p>Ongoing/prior to submittal of land use entitlement application</p>	<p>Planning and Development Dept.</p>	<p align="center">X</p>				<p align="center">X</p>	
<p>J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.</p>	<p>Ongoing</p>	<p>Planning and Development Dept./ Historic Preservation Commission staff</p>	<p align="center">X</p>				<p align="center">X</p>	
<p>L-1. Any construction that occurs as a result of a project shall conform to current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.</p>	<p>Ongoing</p>	<p>Planning and Development Dept.</p>	<p align="center">X</p>				<p align="center">X</p>	

0000

SECTION FIVE

PERSONS AND DOCUMENTS CONSULTED

SECTION FIVE – PERSONS AND DOCUMENTS CONSULTED

Persons and Agencies Consulted

- Jason Paul, Kleinfelder
- Michael Carbajal, City of Fresno
- Rebecca Strickland Orfila, MA/RPA, Center for Archaeological Research, California State University, Bakersfield.

Documents Consulted

- City of Fresno “Central Area Community Plan”, July 1989
- City of Fresno “2025 General Plan”, February 2002
- City of Fresno, “City Council Resolution No. 2002-378 certifying Final MEIR No. 10130 (2025 Fresno General Plan Update)
- City of Fresno “Master Environmental Impact Report - 2025 General Plan”, May 2002
- City of Fresno “2025 General Plan Design Guidelines”
- City of Fresno Historic Resources Map, December 2005
- City of Fresno Local Register of Historic Resources, <http://www.historicfresno.org/lrhr/index.htm>, accessed March 27, 2007.
- City of Fresno National Register of Historic Resources, <http://historicfresno.org/nrhp/nrhp.htm>, accessed March 27, 2007.
- City of Fresno, “Fresno Yosemite International – Airport and Environs Plan”, June 1997
- City of Fresno, “Sierra Sky Park Land Use Policy Plan Map”, <http://www.fresno.gov/NR/rdonlyres/DA0B5586-70AA-4AD8-BAC3-A5B2D8717EBE/0/sierraskypark.pdf>, accessed March 28, 2007
- City of Fresno, “Fresno Metropolitan Water Resources Management Plan”, May 1994
- City of Fresno Downtown Zoning Map, <http://downtownfresnohousing.com/zoning.html>, accessed March 26, 2007.
- City of Fresno Zoning Ordinance
- Kleinfelder, “Phase I Environmental Site Assessment”, May 2009.
- Fresno Redevelopment Agency’s “Preliminary Report for the Merger of Central Area Redevelopment Plans (Merger No. 1)”, February 1998
- Federal Emergency Management Agency, Flood Insurance Rate Map, Fresno County, California and Incorporated Areas, Panel 2110 of 3550, Map Number 06019C2110F, July 2001.
- San Joaquin Valley Air Pollution Control District, Guide for Assessing and Mitigating Air Quality Impacts, 2002
- San Joaquin Valley Air Pollution Control District, Dust Control Compliance Assistance Bulletin, October 2004
- San Joaquin Valley Air Pollution Control District, Asbestos Requirements for Demolition and Renovations Compliance Assistance Bulletin, July 2006
- Survey of potential National Register properties in the “180 Gap” Freeway Corridor, 1991.

- Supplementary Historic Building Survey of the Ratkovich Plan Area, September 1993 through August 1994.
- U.S. Department of Agriculture Natural Resource Conservation Services (NRCS), "Soil Survey, Eastern Fresno County, California", 1971.
- West Yost Associates, Consulting Engineers, "Technical Memorandum with Subject: Hydraulic Evaluation of the Downtown Triangle Area," January 2009

SECTION SIX
LIST OF PREPARERS

SECTION SIX – LIST OF PREPARERS

Quad Knopf, Inc.

Harry Tow, Principal Planner

Travis Crawford, Senior Environmental Planner

Ginger White, Senior Associate Planner

Vanessa Williams, Project Coordinator

Jan Chubbuck, Project Administrator

CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT
ADDENDUM TO "CITY OF FRESNO THREE MILLION GALLON WATER STORAGE TANK." FINDING OF
CONFORMITY / MEIR NO. 10130/MND FOR PLAN AMENDMENT A-09-02
(AIR QUALITY MND)

<p>Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan</p>	<p>DATE RECEIVED FOR FILING:</p> <p><i>No circulation required pursuant to CEQA Guidelines Section 15164 c</i></p>
<p>Applicant: Quad Knopf on behalf of the City of Fresno 6051 North Fresno Street, Suite 200 Fresno, CA 93710</p>	<p>Initial Study Prepared By: Planner: Sophia Pagoulatos Date: November 10, 2010</p>
<p>Environmental Assessment Number: C-10-179</p>	<p>Project Location (including APN): (APN) 467-050-16U, 467-020-28U, and portions of 467-020-40U, 467-020-37U, 467-020-39U, located at H Street and San Benito Streets in Fresno, CA</p>

Project Description:

This is an addendum to the Finding of Conformity prepared for the following project by Quad Knopf for the City of Fresno and entitled "*City of Fresno Three Million Gallon Water Storage Tank*". The original Finding of Conformity was filed with the Fresno County Clerk on August 17, 2009 and adopted by the City Council on September 17, 2009 and is available for review in the Development and Resources Management Department.

This addendum adds to the project description of the original Finding of Conformity the fact that the project includes the processing of a special permit. A conditional use permit is required pursuant to Fresno Municipal Code Section 12-304-B, subsections 10 and 11, which designate government facilities and public utility structures as conditional uses. Although the project description of the original Finding of Conformity acknowledges that the project is subject to discretionary review (page 1-3, Section 1.3 Assumptions and Relationship to Existing Documents), it does not specifically mention a conditional use permit.

Conformance to CEQA Guidelines Section 15164 Regarding Addenda:

Section 15164 of the CEQA Guidelines state that an addendum to a previous environmental document may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 states that if new significant impacts would result from a proposed project change, or if new information becomes available that would result in new significant impacts, then an addendum would not be adequate, and either a subsequent EIR or a subsequent negative declaration shall be prepared.

In the case of the subject addendum described above, no new significant impacts would occur from making explicit the fact that a conditional use permit is the discretionary approval required, and that it is part of the project description. The proposed project is listed as a conditional use under Fresno Municipal Code Section 12-304-B, subsections 10 and 11, which designate government facilities and public utility structures as conditional uses. While the project description of the original Finding of Conformity acknowledges that the project is subject to discretionary review (page 1-3, Section 1.3 Assumptions and Relationship to Existing Documents), it does not specifically mention a conditional use permit. This addendum would simply clarify all of the discretionary permits required to execute the project. The project itself has not changed, however.

Additionally, no new information has become available that could result in the creation of new significant impacts.

Finding of Conformity Under MEIR No. 10130 and the Air Quality MND prepared for "City of Fresno Three Million Gallon Water Storage Tank".

Environmental Assessment No. C-10-179

November 10, 2010

Page 2

It is hereby found in conclusion, that this addendum to "City of Fresno Three Million Gallon Water Storage Tank". Finding of Conformity, adopted by the Fresno City Council on September 17, 2009, conforms to the California Environmental Quality Act Guidelines Section 15164 and no further environmental review is required.


Supervising Planner, City of Fresno

11/10/10
Date

CAO031810

Exhibit H

Appeal Letter received November 29, 2010

The H.E.A.T for SouthWest Fresno Community

(Hope Effort Appropriately Thriving)

P O Box 12571

Fresno, CA 93778

e-mail: HEATSWFC@aol.com

RECEIVED

November 28, 2010

NOV 29 2010

Planning Division
Planning & Development Dept.
CITY OF FRESNO

City of Fresno
Development & Resource Management Department
2600 Fresno St.
Fresno, CA 93721

Re: C-10-179

Attn: Sophia Pagoulatos, Planning Department,

Please be advised that the H.E.A.T. for the SW Fresno Community object to the above-mentioned project for the following reasons:

1. There was no community meeting or community input in regards to this project.
2. The project is being proposed near an elementary school, Lincoln Elementary, and there are concerns regarding the use of chemicals in the water treatment components.
3. It appears that this project will be in conflict with the Downtown Neighborhoods Revitalization plans.
4. This project is near or in the same area proposed for the high-speed rail.

Please note that a high number of projects are being proposed for the SW Fresno/District #3 area. This will make it very difficult to envision what the area will look like in the future with all of these projects being pushed through in a short period of time.

Sincerely,

The Members of H.E.A.T. for SW Fresno Community

Exhibit I
Response to Appeal Letter
Dated January 3, 2011



Development and Resource Management Department

2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1012

John M. Dugan, AICP, Director

January 3, 2011

Please Reply To:
Sophia Pagoulatos
(559) 621-8062

The H.E.A.T. for SouthWest Fresno Community
PO Box 12571
Fresno, CA 93778

SUBJECT: APPEAL OF CONDITIONAL USE PERMIT NO. C-10-179 FOR A THREE MILLION GALLON WATER TANK, AN 8,700 SQUARE-FOOT OPERATIONS BUILDING, AND RELATED IMPROVEMENTS AT PROPERTY LOCATED AT 401 H STREET (APNs 467-020-49MU, 52ST, 53MU)

Dear H.E.A.T. Members:

The Development and Resource Management Director on November 29, 2010, received your letter appealing the above-noted conditional use permit. In response to the appeal, Development Services and Water Division staff met with you on December 13, 2010 to attempt to answer the questions raised in the letter. Staff also agreed to respond to additional questions raised at the meeting. The purpose of this letter is to address both the questions raised in the appeal letter and the additional questions raised at the meeting. Both the questions and answers are noted below for your information.

In addition, as you are aware, consideration of the appeal is scheduled for the January 12, 2011 meeting of the Planning Commission.

Please note, this project is officially known as the "T4 3-MG Water Storage Tank and Booster Station Project" as mentioned in the following responses.

Question 1: *There was no community meeting or community input in regards to this project.*

Response 1: As you are aware, the Development and Resource Management Director has the granting authority to approve conditional use permits pursuant to Fresno Municipal Code Section 12-406. Under this section, no community meeting or public hearing is required (unless appealed, in which case a public hearing before the planning commission is required). The conditional use permit for the project would have been routed to the District 3 Plan Implementation Committee for review as is our standard procedure, however the D-3 committee was in recess during the routing period.

Because the City of Fresno is the project applicant, and because the project is a capital project and is included in the city's capital improvement program, the project was discussed publically before the City Council on the following dates:

- 8/21/07: City Council Agenda Item No. 9:30, Item A:

- (a) Directed staff to proceed with work on current H Street site;
 - (b) This Agenda Item provided "history" of previous site (northeast corner of Broadway and Mono St)
- 4/23/09: City Council Agenda Item No. 9:30 AM, Item I:
 - (a) Granted conditional authorization to enter into Purchase and Sale Agreement for purchase of current 3.6 acre site at H Street.
 - (b) This Agenda Item also provides "history" of previous site (northeast corner of Broadway and Mono St)
 - 9/17/09: City Council Agenda Item No. 10:20 AM:
 - Council Action Adopted findings for IS/FOC

Question 2: *Project is being proposed near an elementary school, Lincoln Elementary, and there are concerns regarding the use of chemicals in the water treatment components.*

Response 2: The project Initial Study/Finding of Conformity (IS/FOC, August 2009) addresses the location of the T-4 project site relative to existing or proposed schools. The IS/FOC, under page 3-35 of Section 3 – Environmental Checklist, Hazards/Hazardous Materials Discussion, Conclusion c), states the following:

"There are no existing or proposed schools within a one-quarter mile of the proposed project site (City of Fresno 2025 General Plan, Appendix F). There is **no impact**.

Based on measurements taken within the City's GIS system, Lincoln Elementary is approximately 0.4 miles from the T-4 site located at H Street. This exceeds the one-quarter mile criteria mentioned above.

As indicated on page 6 of 7 of the CUP Operational Statement, attached, (see section titled "Treatment") the water entering and leaving the tank may be chlorinated with a 12.5% Sodium Hypo-Chlorite liquid solution. Chlorination equipment is required at this site to maintain chlorine residual and meet drinking water quality standards for water entering and exiting the tank. This Hypo-Chlorite solution will be stored in a crosslinked polyethylene double wall safe-tank (or other suitable tank) located inside of the Chlorination Room shown on the CUP Site Plan, provided to you at the December 13, 2010 meeting.

The California Department of Education (CDE), School Facilities Planning Division, regulates school siting and proximity to potentially hazardous circumstances. CDE uses "Form 4.0 - Initial School Site Evaluation" when determining the appropriate siting/setbacks for schools. It is basically a checklist which identifies proximity to airports, railroad tracks, high-voltage transmission lines, landfills, high pressure water pipelines, water storage tanks, hazardous facilities within a ¼ mile, etc. Generally speaking, if a school is greater than 1500 feet from any of these circumstances, then there is no issue with school proximity. CDE's School Site Selection and Approval Guide is available at the following location: <http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#emissions>. Applicable Education Codes, Public Resource Codes, and CCR's are cited where appropriate within the CDE's School Site Selection and Approval Guide.

Question 3: *It appears that this project will be in conflict with the Downtown Neighborhoods Revitalization plans.*

Response 3: The project is located in the M-2 zone district, the purpose of which is to "provide for the establishment of industrial uses essential to the development of a balanced economic base." Specifically, the use is allowed as a public utility/public service structure. The project is located within the Central Area Community Plan and the Chinatown Expanded Redevelopment Plan Areas and provides needed infrastructure for the execution of those plans. On September 7, 2010, the Downtown and Community Revitalization Department provided a memo in support of the project. The Director of the Development and Resource Management found the project to be consistent with all applicable plans, and no evidence has been presented to the contrary. Therefore staff has not changed its conclusion that the project is consistent with all applicable plans and policies, including the Central Area Plan, which is the applicable downtown plan.

Question 4: *This project is near or in the same area proposed for the high-speed rail.*

Response 4: DPU-Water Division's coordination of the subject T-4 project with the High Speed Transportation Project (HSTP) is addressed on page 2 of 7 of the CUP Operational Statement (refer to the section of the attachment titled "Coordination with Downtown Stakeholders"). As indicated in that section, Water Division staff met with representatives of the HSTP design team on 6/22/10 to discuss and present a solution to avoid conflicts between both projects. As a result of that meeting, the T-4 Site Plan was modified to include a maximum 60-foot wide corridor along the back of the site (nearest the existing railroad) to allow for the future construction of the HSTP. The CUP Site Plan incorporates this solution.

Additional questions posed by H.E.A.T. during the December 13, 2010, meeting:

Question A: *Why is a 3 MG water tank being proposed for downtown when water meters are being required in other areas of Fresno?*

Response A: Redevelopment activity and the ongoing effort to revitalize downtown Fresno has and will continue to stress an aging water system in the downtown area. Recent redevelopment activity has increased water and fire flow demands without upgrading the water system infrastructure. Additionally, the reliability and production capacity of the existing downtown central area wells has declined over the years. The continuing downtown revitalization effort has resulted in the need for the Department of Public Utilities (DPU), Water Division, to develop the T4 3-Million Gallon Water Storage Tank and Booster Pump Station project to increase water system reliability, to meet peak hour water demands, and to provide adequate fire suppression capacity to support existing and meet future water demands in the downtown area.

The T4 3-MG Water Storage Tank and Booster Station Project is not part of the City's Water Meter Project. Please refer to the following websites for information regarding the City of Fresno's Water Meter Project:

- o <http://www.fresnowatermeter.org/>
- o <http://www.fresno.gov/Government/DepartmentDirectory/PublicUtilities/Watermanagement/Distribution/WaterMeterProgram/Default.htm>

Question B: *Why was this site chosen? Where was the previous site?*

Response B: The initial site was located at the northeast corner of Broadway and Mono Street. After much consideration during the preliminary design phase, efforts to develop the project on this site were

abandoned due to the cost associated with minimizing visual and operational impacts associated with this site. Subsequently, Water Division Staff collaborated with the Fresno Redevelopment Agency and the City Manager's Office to find an alternative location that would be acceptable. The alternative location is the current site located on the west side of H Street, north of Monterey Street.

The T-4 site is located within the vicinity of the area requiring additional water system reliability and fire suppression capacity.

Question C: *How is this project funded?*

Response C: The T-4 Tank project (Project ID WC00061) is an Enterprise Funded project. It is not a CDBG funded project. For detailed information regarding funding for this project, please refer to page 312 of the Adopted Budget for Fiscal Year 2011, available on the City of Fresno's website at: <http://www.fresno.gov/Government/City+Budget/default.htm>

Furthermore, as indicated on page 16 of the City of Fresno Consolidated Plan Fiscal Years 2010-2014 (May 2010) available on the City of Fresno's website at: <http://www.fresno.gov/Government/DepartmentDirectory/Finance/Budget/CDBG.htm>

"The Department of Public Utilities is responsible for providing sewer and water infrastructure necessary to support housing and economic development programs. Historically, CDBG funds have not been used to fund DPU projects."

If you have any questions regarding this letter, feel free to give me a call at the number listed above.

Sincerely,


Sophia Pagoulatos, Supervising Planner
Development Services Division

Enclosure: Project Operational Statement

C: Cesar Romero, City of Fresno Water Division

Operational Statement Template

Please use this template as a specific guide to explaining the scope of your project. This required information will assist all individuals, departments and agencies in their review and drafting of their comments, conditions and suggestions. Our goal is to facilitate an accurate and complete description of your project in order to avoid unnecessary delays in gathering additional information. If you have any questions about the requested information or need help completing any portions of this form please call the Development Partnership Center at (559) 621-8180. This form must be completed and submitted in order to process your application. If this operational statement is not submitted or incomplete your application will not be accepted for processing.

Project Description:

CUP Application is being submitted by Amber Adams of Quad Knopf, Inc. on behalf of City of Fresno - DPU and pertains to 3.64 acres of property located at H St. Between Ventura and Monterey
APN: 467-020-49MU, 52ST and is zoned M-2 with a planned land use of
& 53MU
Commercial / Mixed Use Level 2 (Central Area) is requesting authorization to:

Construct a three million gallon (3MG) water storage tank, operations building and associated water system improvements.

The proposed development will consist of:

A concrete 3MG water storage tank, operations building, booster pump station, water treatment and associated appurtenances.

The existing site currently exists of Vacant land with 0 existing parking spaces.

The proposed hours of operation are from N/A to N/A on See Operational Narrative attached

Other facts pertinent to this project are as follows:

See attached Operational Statement for details.

Operational Narrative: (This is your opportunity to communicate in detail all other characteristics of your property that would be important to consider when reviewing for completeness and contemplating approval. Describe your proposed operation/development in as much detail as possible including information such as name of business, product or service, anticipated traffic-customers, deliveries, etc., any special events, number of employees, required equipment, on-site storage, demolition or adaptive reuse of existing structures, noise generation, any hazardous materials, etc.)

See attached Operational Statement for details.

Exhibit J
Operational Statement for
Conditional Use Permit No. C-10-179

T-4 3 Million Gallon Water Storage Tank & Booster Station

Operational Statement for CUP Application

Background

The Downtown Fresno water supply is provided by five (5) water wells located within the Central Area which is bounded by Freeways 41, 99 and 180. The Freeways create barriers restricting water supply flows developed in other areas of the City from effectively entering the downtown area due to the limited number of water mains crossing the Freeways. Three (3) of the five (5) downtown wells have been in service for 50 years or longer and they remain serviceable and vital to the downtown water efforts. However, the wells are reaching the end of their service life expectancy and will ultimately need replacement. Water demands have increased due to completed redevelopment projects. Additionally, proposed redevelopment plans are changing the existing land use and future water demands from single-story residential and industrial to multi-story residential and commercial. The combined effect of redevelopment projects and freeway land barriers has diminished the reliability of peak hour water supplies for this area resulting in the need for a new water supply well and tank with booster pump to supply peak-hour demands. In order to address these water supply issues and accommodate the growth outlined in 2025 Fresno General Plan, the City of Fresno has initiated the design for construction of the T-4 3MG Water Storage Tank and Booster Station project (T-4 Project). Additional background information can be found in the Initial Study and Finding of Conformity (IS/FOC) that was adopted by the City on 09/17/2009 as well as the project's Preliminary Design Report (PDR).

Site Description

The project site is currently owned by the City of Fresno and is located on the Southwest side of "H" Street between Santa Clara and Monterey Streets. The site consists of 3.64 acres and is comprised of Assessor Parcel Numbers (APNs) 467-020-49MU, 52ST and 53MU. For reference to previous reports and studies, the former APNs were 467-050-16U, 467-020-28U and a portion of 467-020-40U. The property does not currently have an address, but has historically been used for the 369, 401, 403 and 415 "H" Street. The site is currently vacant with the exception of the existing Monterey Street bridge structure and a perimeter chain link fence. The bridge will not be modified or impacted with this project, however, it is understood there is a planned City project to demolish the structure. The property is zoned "M-2" with a planned land use of "Commercial / Mixed Use Level 2 (Central Area)". The site is located in the "Central Area" Community Plan and the "Chinatown Expanded" Redevelopment Area and is currently outside the limits of any existing Specific Plan areas. However, the site is within the future Fulton Corridor Specific Plan boundary. Additional site description details can be found in the above-mentioned IS/FOC and PDR.

Surrounding Neighborhood

The project site is located in the southern portion of the downtown "Central Area" created by the above-mentioned freeways. The properties that surround the project site are zoned M-2 and are used for General Manufacturing to the Northwest and Northeast, Railroad to the Southwest, and State Highway 41 to the Southeast. The project is not expected to have any effects on the neighbors.

Coordination with Downtown Stakeholders

Due to the T-4 project's downtown location, the Department of Public Utilities (DPU), Water Division, and its design Consultant held a meeting on April 7, 2010, with downtown stakeholders (including staff from the City of Fresno Planning Dept., Downtown Revitalization Dept., Fresno Redevelopment Agency, Council District 3, and the Department of Public Works) in order to present potential architectural treatment concepts for the proposed facilities and to gather early feedback and guidance from these stakeholders. This stakeholder's meeting provided an open forum for discussions on items such as architectural features, site layout, and building location. The project's relationship to adjacent future projects including the potential High Speed Transportation Project (HSTP) and the pending demolition of the existing Monterey Street Bridge were also discussed. Potential impacts of the HSTP East Alignment on the T-4 Project site were discussed and it was determined that additional coordination was required between both projects.

In an effort to resolve the potential conflicts resulting from the overlay of the HSTP East Alignment on the T-4 Site, DPU Water Division staff met with Mr. Keith Bergthold and URS Corporation on June 22, 2010. During that meeting, DPU Water Division staff proposed a solution that required modifying the T-4 site layout to provide for a maximum 60-foot wide corridor along the back of the site to allow for the future construction of the HSTP bridge deck, columns, and foundations. As a condition of this concession made to the T-4 site layout, URS Corporation staff agreed they would work with DPU Water Division staff in selecting the optimum placement of their HSTP bridge supports to avoid impacting paved vehicle access around the proposed T-4 Project site.

Project Description

The T-4 3MG Water Storage Tank and Booster Station project includes the construction of a three-million-gallon (MG) water storage tank; an operations building to house a booster pump station, water treatment facilities, electrical and telemetry equipment, and a document storage area; appurtenant exterior facilities including a surge tank and emergency generator; miscellaneous yard piping and site improvements; site landscaping; and architectural treatment of the new tank and operations building;

This new water storage tank and booster station facility is needed in the downtown area to increase water system reliability, to meet peak hour water demands, and to provide adequate fire

suppression capacity to support existing and future demands in the downtown area. The system improvements will also benefit the downtown area by providing redundant water capacity during power outages and other emergency needs.

The following is an overview of project facilities:

1. **Tank:** A 3MG reinforced concrete storage tank with a maximum eave height above grade of approximately 32 feet, diameter 126 ft, and recessed 5 ft below existing ground surface is considered the best fit for the site. The tank will be designed and constructed in accordance with AWWA D110-04, Wire- and Strand-Wound, Circular, Pre-stressed Concrete Water Tanks either Type 1 or Type 3 requirements and Title 22 of the California Code of Regulations, Chapter 16 - California Waterworks Standards (CWWS).
2. **Pipelines:** The tank will be filled via a proposed connection to a 24" transmission main in H Street that will be extended into the site. A proposed 30" discharge pipe from the pump station will convey flow from the tank site and connect to a 30" distribution main in H Street. Both the 24" and 30" water transmission pipes in H Street are currently under design by others, and are not included as part of the T-4 Project. Onsite piping will be provided to accommodate the incoming pipes, future onsite Granular Activated Carbon (GAC) adsorption pressure vessels, tank overflow and drain, sanitary sewer, and site storm water drainage.
3. **Operations Building:** An operations building with dimensions of 145 ft x 60 ft is recommended for the project. The Operations Building is planned to house the booster pumps, chlorination treatment facilities and equipment, future fluoride treatment, office, laboratory area and lavatory facilities, the power and control equipment - motor control center (MCC), a document storage area, and space for six future GAC vessels. The MCC and chlorination facilities will be sized to accommodate the initial and future booster pumps as well as any future incoming supply lines.
4. **Instrumentation and Controls:** The facility will have electrical instrumentation and control systems that will control the pump station, tank water levels, and chlorination system. The control system will interface with the DPU Water Division's existing SCADA system (one remote telemetry unit tied into the controller for this facility). The system will display and record pertinent system performance data. An antenna will be installed onsite to facilitate proper communication with the SCADA system. The site will include an emergency power diesel generator equipped with a noise reduction enclosure and capable of energizing the complete pumping facility. The site will also include an aboveground/exterior surge control pressure vessel as shown on the site plan.
5. **Site Improvements:** Site improvements will include grading, sewer and water piping, storm drain system, paving, fencing, landscaping/irrigation, and site security features.

6. **Future Facilities:** Expansion features will be included to allow for the future construction and interconnection of six (6) GAC treatment vessels and fluoride treatment units.

As indicated above, a maximum 60 ft corridor along the southwestern site boundary has been set aside to accommodate the structures associated with the future High Speed Transit Project. The Operations Building and the Tank will be placed at clear distances of 20 ft from the north edge of this corridor.

Operation Summary

General Control Considerations:

Operation of the system will normally be controlled centrally at the DPU Water Division yard using the City's SCADA system. If the system is set to operate in the AUTO mode, then the SCADA system will use the booster pumps as the last lag pumps in the zone in response to falling zone-average pressures. The operator will have the option of local control at the station to bypass automatic operation. Also, local pressure will be used to control pumps in the event SCADA control is lost.

Filling of the tank from the grid will be controlled with a flow control valve that is hydraulically operated, solenoid actuated, and includes a hydraulic altitude control override. This system will be utilized as determined by the City Water Division and can be controlled by the City SCADA System, time clock, tank level or a combination of all. The valve would have the ability to open if the tank level drops to a predetermined level while maintaining back pressure on the distribution grid via a pressure sustaining feature. Maintaining the system pressure is important so that the system does not fall below a predetermined pressure. The system will also have a check feature which would allow one way flow only and have a solenoid that will not allow the valve to open if the booster pumps are running so as not to simply circulate the water.

Booster Pump Station:

The following steps will occur under normal operations during peak demand days. The production wells within the downtown area will be operated anytime pressure is sufficiently low.

- a. As demand increases, the SCADA system will make adjustments in zones sequentially in response to zone-average pressures. When the system pressure drops below the PUMP START set point, the lead 125 HP, 2,500 gallons per minute (gpm) pump starts and begins to ramp up to meet the system demand and maintain system pressure. If the demand increases further and the system pressure drops, a second 125 HP pump, 2,500 gpm starts. This pattern is repeated in 2,500 gpm increments up to the maximum outflow of 10,000 gpm. The VFD control will allow the pumps to ramp up to maximum capacity slowly to meet the demand and maintain system pressure.

- b. As zone-average pressure increases to the PUMP STOP point, booster pumps are slowed and stopped in the reverse order as described above. After all pumps are off, an alternator will change the sequence of lead-lag pumps. The VFD “turn down” or the lowest RPM recommended for the pump brand installed will be recommended by the manufacturer and can be increased by the operator, but not decreased.
- c. Independent of booster pump operation, a 24-inch transmission main will deliver water to the tank during low demand periods. When the tank level has dropped to a predetermined level, the control valve will open to allow tank filling from the main provided the conditions of system pressure, time of day and booster pump activity allow for this operation. The timing of this operation can be controlled by the City SCADA system, the time of day, or both. Back pressure to the grid is maintained during such filling with a pressure sustaining feature on the valve.

If the zone-average pressure still increases during tank filling, the SCADA system will shut off ground water wells in reverse order of their priority.

During low demand periods of the year, the tank will not be needed to serve peak demands and the water in the tank may become stagnant. In order to mitigate this concern, the City will implement maintenance measures to “turn the tank contents over” during periods of low demand. This can be done by operating the booster pumps as well as the proposed tank mixing system. The above measures would promote circulation as well as prevent moisture buildup in the pump motor windings.

Tank Filling and Bypass:

The interim operation will involve filling the tank directly from PS – 172 via the 24” transmission main in H Street. Then, once the future planned Southeast Surface Water Treatment Facility (SE SWTF) is built and online, the tank will be filled from the new facility and/or PS -172 via the Regional Transmission System. A 24” by-pass line connecting the 24” transmission main with the 30” distribution main is included within the project site. This 24” bypass line will provide additional flexibility to the above options. The bypass will allow flow from PS -172 or from the future SE SWTF to bypass the tank site and directly supply the downtown grid via the 30” distribution main. This requires supply (upstream) and system (downstream) pressures are within predetermined set points for the bypass mode. The following is a description of three planned operation scenarios:

- a. Fill the Tank: In this scenario, the tank will be filled by utilizing the 24” transmission main in H Street that is extended into the site. The valves on the by-pass line will be closed and the flow will be routed directly into the tank. Tank fill operations are expected to occur during low-demand periods, such as afternoon and nights.
- b. Supply the Downtown Grid from PS 172 (Bypass Mode): Once the tank is filled, the altitude valve will close. The by-pass line valves will open when upstream (supply) and downstream (system) pressures are within predetermined set points for the bypass

mode. The flow from PS 172 arriving into the downtown area through the 24" transmission main will be routed into the 30" distribution main through the by-pass line, without the flow entering the tank.

- c. Supply the Downtown Grid from the Booster Pumps: This operation will be initiated when downtown pressures fall below a set point. The by-pass valve will close. The booster pumps will supply the downtown grid by pumping water from the tank into the downtown system through the 30" distribution main.

Treatment

Water treatment facilities provided with this project include chlorination as well as accommodations for future treatment with Fluoride and Granular Activated Carbon (GAC) adsorption pressure vessels. The chlorination system consists of a residual chlorine analyzer and controller installed on select influent/effluent pipelines as well as chlorine pumps and injectors. The chlorine injection will be a 12.5% Sodium Hypo-Chlorite solution and will be stored in a crosslinked polyethylene double wall safe-tank of 500 gallon capacity or other suitable tank. The injection will be fully automatic and will be at 0.6 parts per million (ppm) with a pump capable of at 0.5 gallons per hour (gph) for injection into the tank inlet flow and 1.0ppm with a pump capable of at 4.78gph for injection into the booster station outlet flow. This project also includes provisions for future residual chlorine sampling and injection at the future GAC effluent manifold. Piping for the future treatment facilities will be installed with this project to allow for easy installation and incorporation into the system. Chemicals will be delivered as discussed in the Traffic section below. Additional treatment details can be found in the above-mentioned IS/FOC and PDR.

Public Impacts

Hours of Operation

It is anticipated that the City will operate the facility year around. During low demand seasons the booster station and tank will be cycled a minimal amount in order to provide for circulation of tank contents. Regular site visits and deliveries will be limited to regular business hours.

Traffic

The City will utilize existing Water Division staff to operate the facility. It is anticipated that the typical facility operation will be performed remotely and that City staff will visit the site one to three times per day. Deliveries of chemicals and maintenance parts will be conducted during business hours and will occur approximately once every one to two weeks. Two parking spaces have been provided on-site with the project and it is anticipated that this will accommodate the employee visits.

Noise

The primary noise source created from the project will be the booster pumps. To minimize this noise, the pumps have been located inside the operation building. Noise sources that are located outside of the building such as small motors and valves are anticipated to be minimal and will result in noise similar to a typical air conditioning or heating unit. Other sources of noise will include the use of the diesel engine emergency generator, which will likely be tested on a monthly basis and used in the event of a power outage. A 6 foot high block wall is also proposed along the Northwestern property line which will provide an additional sound barrier.

The noise impact to the public created by the project will be less than the existing noise generated by the surrounding general manufacturing, railroad, and state highway.

Visual

In order to prevent potential visual impacts to the neighborhood, the project has been designed to include architectural, landscaping and lighting features that will provide an aesthetically pleasing view from the adjacent street, State Highway 41, and the railroad. At the above-mentioned downtown stakeholders meeting that was held on April 7, 2010, the aesthetics of the site, building, and tank were discussed in detail. Comments and recommendations from that meeting have been considered and incorporated into the preliminary design where applicable.

Security

The project will include a perimeter fence that will be the primary security barrier. The fences will be chain link along the railroad and highway, wrought iron along "H" Street, and concrete masonry (CMU) block wall to the Northwest. There will be two (2) electronically controlled vehicle access gates on "H" Street and one (1) locked pedestrian gate. The site will include area lighting to allow good visibility to the site. As an added security measure, a video surveillance system with digital recording will be installed and backed up weekly. An intrusion alarm perimeter detection system may also be installed if the City desires additional security detection.