



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 09.16.15

September 16, 2015

FROM: MIKE SANCHEZ, Assistant Director
Development & Resource Management Dept.

THROUGH: BONIQUE EMERSON, Planning Manager
Development Services Division

BY: MCKENCIE CONTRERAS, Supervising Planner
Development Services Division

APPROVED BY

Jennifer K. Clark, Director
Development & Resource Management Department

SUBJECT: CONSIDERATION OF REZONE APPLICATION NO. R-14-010 AND RELATED ENVIRONMENTAL ASSESSMENT APPLICATION NO. R-14-010 FOR PROPERTY GENERALLY BOUNDED BY WEST WHITES BRIDGE AVENUE, SOUTH HUGHES AVENUE, WEST CHURCH AVENUE, AND SOUTH MARKS AVENUE

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Finding of Conformity prepared for Environmental Assessment Application No. R-14-010.
2. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-14-010 requesting authorization to amend the Official Zone Map to reclassify the subject property from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district and to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-097.

EXECUTIVE SUMMARY

Jeffrey T. Roberts, on behalf of C&A Farms, has filed Rezone Application No. R-14-010 pertaining to approximately 414.8 acres of property. The subject property is generally bounded by West Whites Bridge Avenue, South Hughes Avenue, West Church Avenue, and South Marks Avenue. The rezone application was filed by the applicant to clean up the zoning on the subject property and remove several conditions of zoning which pertain to a development project known as "Running Horse" that is no longer a viable project. The rezone request will also bring the subject property into conformance with the Fresno General Plan planned land uses. Rezone Application No. R-14-010 proposes to amend the Official Zone Map and reclassify the subject property from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district and to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-097.

The subject property is located within the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master Plan; the plans designate the subject property for Medium Low Density Residential (3.5 to 6.0 dwelling units per acre) and Public/Quasi-public Facility planned land uses. Therefore, the subject application is consistent with the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master Plan.

PROJECT INFORMATION

PROJECT	Rezone Application No. R-14-010 requests authorization to reclassify the subject property from the R-1/UGM/cz (<i>Single Family Residential/Urban Growth Management/conditions of zoning</i>) and R-2/UGM/cz (<i>Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning</i>) zone districts to the R-1/UGM/cz (<i>Single Family Residential/Urban Growth Management/conditions of zoning</i>) zone district and remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-097.
APPLICANT	Jeffrey T. Roberts, Granville Homes
OWNER	C&A Farms, owned and controlled by Granville Homes
LOCATION	Generally bounded by West Whites Bridge Avenue, South Hughes Avenue, West Church Avenue, and South Marks Avenue in the City and County of Fresno, California (Exhibit 1) (Council District 3, Councilmember Baines)
SITE SIZE	Approximately 414.8 acres
PLANNED LAND USE	Medium Low Density Residential & Public/Quasi-public Facility
ZONING	Existing - R-1/UGM/cz and R-2/UGM/cz Proposed - R-1/UGM/cz with modified conditions of zoning
PLAN DESIGNATION AND CONSISTENCY	The proposed zone district for the subject property conforms to the planned land use designations of the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master Plan.
ENVIRONMENTAL FINDING	A Finding of Conformity was filed with the Fresno County Clerk's office on August 14, 2015.

PLAN COMMITTEE RECOMMENDATION The District 3 Plan Implementation Committee approved the rezone application at their meeting on May 5, 2015. The committee will meet again on September 14, 2015 to discuss the proposed changes to be considered by Planning Commission.

STAFF RECOMMENDATION Recommend Approval (to the City Council) of: (1) Adoption of the Finding of Conformity prepared for Environmental Assessment Application No. R-14-010; and, (2) Approval of Rezone Application No. R-14-010.

BORDERING PROPERTY INFORMATION

The subject property is surrounded by various uses and zone districts. The table below provides a brief overview of those. For the surrounding planned land uses see Exhibit 4 and for existing zoning see Exhibit 5.

	Planned Land Use	Existing Zoning	Existing Land Use
North	Community Commercial	C-6, C-M & M-1	Agriculture Businesses, Vacant Land
East	Low, Medium-Low & Medium Density Residential, Open Space-Ponding Basin, Corridor/Center Mixed Use, Urban Neighborhood	AE-5 , R-A, R-1-B, R-1, M-1 & County	Agricultural Land, Single Family Residential, Vacant Land,
South	Medium Density Residential	County	Agricultural Land, Warehouse, Single Family Residential
West	Public Facility-Church, Low & Medium-Low Density Residential	R-1, C-5, & County	Church/Vacant Buildings, Agricultural Land, Vacant Land, Single Family Residential, Rural Residential, Veterans Home

ENVIRONMENTAL FINDING

The Development and Resource Management Department staff has prepared an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on

December 18, 2014. The changes to the land use designations were environmentally assessed under the new MEIR that was completed with the General Plan update. The environmental assessment for the proposed rezone is tiered off of the new MEIR. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

The proposed rezone will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted zoning and planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. It has been further determined that all applicable mitigation measures of the MEIR have been 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 the MEIR as provided by California Environmental Quality Act (CEQA) Guidelines Section 15177(b)(3). A public notice of the attached Finding of Conformity for Environmental Assessment Application No. R-14-010 was published on August 14, 2015 with no comments or appeals received to date.

BACKGROUND / ANALYSIS

History

The subject property is known as part of the “Running Horse” development. Rezone Application No. R-04-097 assigned R-1/UGM/cz and R-2/UGM/cz zoning to the subject property, which included approximately 455 acres. The “Running Horse” development was never completed and the property went into foreclosure.

C&A Farms, owned and controlled by Granville Homes, has since purchased a portion of the property included in the above mentioned rezone. Their property is currently commercially farmed with almond trees as an “interim” use. The intent for their property is for it to be developed with single family residential uses in accordance with the Fresno General Plan. The property owner intends to develop a master plan for the area to guide future development and has engaged in some preliminary discussions with area residents.

Within the boundaries of Rezone Application No. R-14-010 there are several properties that are not owned by C&A Farms. These properties are included in the rezone request to clean up the existing conditions of zoning tied to those properties.

Conditions of Zoning

In 2004, the Fresno City Council adopted Rezone Application No. R-04-097 which added 12 conditions of zoning to the subject property, which are outlined in Ordinance No. 2004-140 for Rezone Application No. R-04-097 (Exhibit 7). The applicant is proposing to remove three of these existing conditions of zoning and staff is proposing to add two conditions of zoning pertaining to park space and Kearney Boulevard. Staff is also proposing to amend the conditions of zoning for properties not owned by C&A Farms in order to remove those conditions that are no longer applicable.

Below are the three conditions of zoning proposed to be removed from all properties shown in Exhibit 1.

- The outlots identified in Conditional Use Permit Application No. C-04-237 and shown as golf course on Exhibit 2 (which is not being considered at his hearing), although zoned R-1/UGM/cz, shall only be permitted for golf course development to ensure that the applicant completes a unified development of the entire Running Horse residential golf course community.
- Implementation of the approved zone districts and development of the properties described by Rezone Application No. R-04-97 shall be subject to the implementation of the mitigation measures established by the certification of Final Environmental Impact Report No. 10134 (20044041023).
- Applicant shall secure at least 380-acre feet of surface water annually for golf course irrigation and recharge purposes.

The request to remove the above mentioned conditions of zoning is supported by staff given that the "Running Horse" project is no longer a viable project. Since the rezoning of the subject property for the "Running Horse" project was approved, the Fresno General Plan has updated the planned land uses within the subject property. The changes to the land use designations were environmentally assessed under the new Master Environmental Impact Report (MEIR) that was completed with the General Plan update. The Environmental Impact Report completed for the Running Horse project is now 11 years old and pertains to a project that is no longer viable. The environmental assessment for the proposed rezone was tiered off of the new MEIR. Therefore, there is no significant impact from the proposed removal of the above mentioned conditions of zoning.

Below are the two conditions of zoning proposed to be added by staff. Each of these conditions impact different properties within the project area. They are shown in Exhibit 8.

- Public park space shall be required as part of this development. A minimum of two Neighborhood Parks and one Community Park (as defined by the Fresno General Plan) are required. The amenities in the park may include, but are not limited to covered tot-lots, shaded areas, covered benches, fields, parking, and water fountains. The final size of the three parks, amenities, and location of the park space shall be determined by the Director of the Parks Department. The proposed parks shall be advertised on the City's website as public parks.
- Future lots that abut Kearney Boulevard Frontage Road shall front onto Kearney Boulevard Frontage Road. The applicant shall submit elevations to the Development and Resource Management Department for review and approval prior to issuance of building permits.

The applicant has requested to add the following sentence to the first condition regarding park space: "The cost of the park facilities shall be a credit against applicable park fees in place at the time of development." Planning staff has reviewed the request made by the applicant in consultation with Public Works staff and has determined that the General Plan is not the correct

document to determine payment for park improvements. The Park Impact Fee Nexus Study will outline the criteria for fee credits. Therefore, staff is proposing to add the above mentioned condition without the language requested by the applicant.

The applicant is in support of adding the second condition regarding Kearney Boulevard mentioned above. This condition is being added by staff to provide consistency and recognize the historic nature of Kearney Boulevard.

Land Use Plans and Policies

Fresno-Chandler Downtown Airport Master Plan

A portion of the subject property is located within the Traffic Pattern Zone of the Fresno Chandler Airport. Currently, there are six conditions of zoning which impact the entire property. These conditions will remain; however, they will only be tied to properties within the Traffic Pattern Zone. This is outlined in Exhibit B of Exhibit 8.

Edison Community Plan

The subject property is designated for Medium Low Density Residential and Public/Quasi-public Facility planned land uses by the Edison Community Plan. Upon reviewing the policies contained in the Plan staff has determined that there are no policies that are applicable or are more restrictive than those contained in the Fresno Municipal Code.

Fresno General Plan

The subject property is designated for Medium Low Density Residential and Public/Quasi-public Facility planned land uses. The Fresno General Plan includes goals and policies which provide an emphasis on compatible infill development opportunities. The Fresno General Plan also supports balanced urban growth and the efficient use of resources and public facilities.

Additionally, Policy LU-5-b of the Fresno General Plan states, in part: Promote Medium-Low Density Residential uses to preserve existing uses of that nature.

The proposed project meets the intent of many or all of the goals, objectives, and policies of the Fresno General Plan referenced herein above.

In conclusion, the proposed rezone is consistent with many or all of the goals and policies of the Fresno General Plan. The rezone request promotes consistency with the planned land uses designated by the Fresno General Plan. Future development of the property will preserve and protect the character of Kearney Boulevard given the proposed condition of zoning which will assist with that development.

PUBLIC INPUT AND NOTICING

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners within 350 feet of the subject property (Exhibit 3), pursuant to Section 12-401-C-2 of the Fresno Municipal Code.

District Committee

The District 3 Plan Implementation Committee approved the rezone application at their meeting on May 5, 2015. The committee will meet again on September 14, 2015 to discuss the proposed changes to be considered by Planning Commission. The proposed changes are those outlined in Exhibit 8.

Property Owner Meeting

A letter to property owners within the boundaries of Rezone Application No. R-14-010 was mailed on August 11, 2015. The letter was an invitation to a meeting on August 27, 2015 at City Hall to learn more about the rezone application and the proposed modifications. Staff received one phone call from a property owner and a representative of another property owner attended the meeting. The two property owners seem to be in support of the proposal. The applicant is in support of staff's recommendation, with the proposed modification mentioned above.

Airport Land Use Commission

The Airport Land Use Commission (ALUC) reviewed the proposed rezone application on August 31, 2015. The ALUC found that the proposed rezone was consistent with the Fresno-Chandler Downtown Airport Master Plan. However, their recommendation excluded the conditions of zoning proposed to be added by Planning staff. The ALUC stated that the two conditions did not apply to their review.

CONCLUSION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master 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 Rezone Application No. R-14-010 is appropriate for the subject property.

Action by the Planning Commission regarding the rezone application and associated environmental assessment will be a recommendation to City Council.

Attachments: Exhibit 1: Subject Property Map
Exhibit 2: 2015 Aerial Photograph
Exhibit 3: Public Hearing Notice Mailing List Vicinity Map
Exhibit 4: Fresno General Plan Planned Land Use Map

- Exhibit 5: Existing Zoning Map
- Exhibit 6: Proposed Zoning Maps
- Exhibit 7: Ordinance Bill No. 2004-140 for R-04-097
- Exhibit 8: Conditions of Zoning with Exhibits
- Exhibit 9: Environmental Assessment No. R-14-010, finding of a
Finding of Conformity dated August 14, 2015

Exhibit 1:
Subject Property Map

Subject Property Map

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property not included
in the Rezone



S. Marks Ave.

W. Kearney Blvd.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

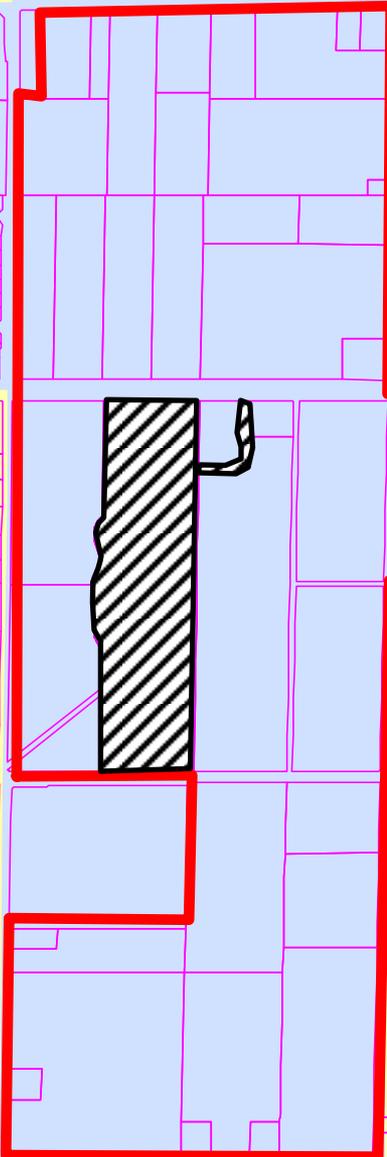
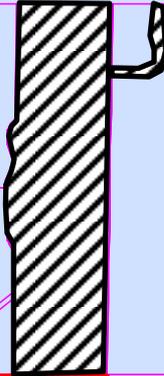


Exhibit 2:
Aerial Photograph

Aerial Photograph

Legend:
Subject
Property



Property not
included
in the Rezone

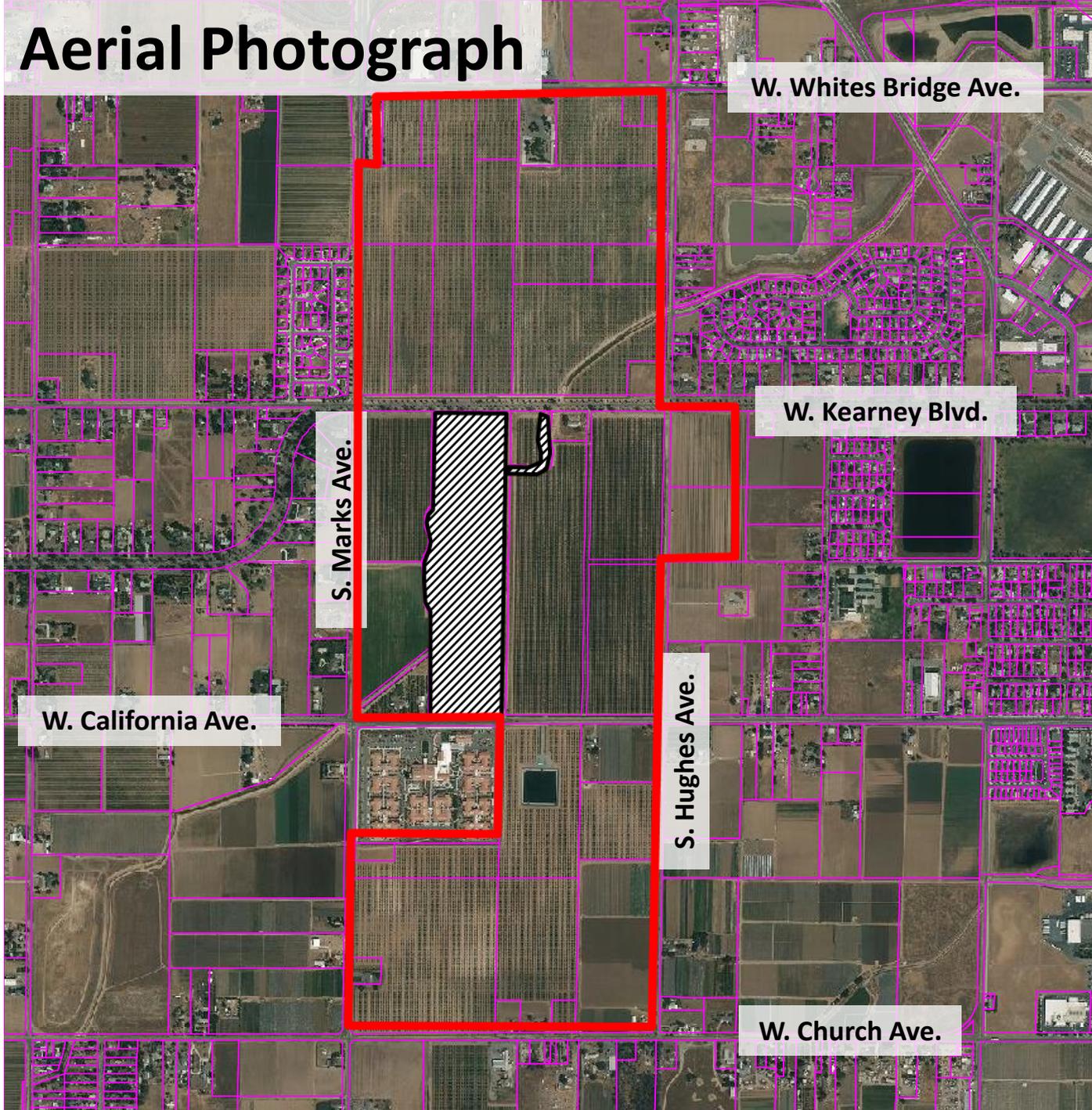
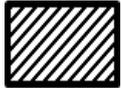


Exhibit 3:
Public Hearing Noticing Map

999428 R-14-010

Buffered at:350 Feet, Legal Notices, Owners

- 46402007
- 46402008
- 46402009
- 46402012
- 46402013
- 46402015
- 46402016
- 46402019 Too Many:NOT LISTED

Address List Map, c:\gisdm5\automap\adrlist.mxd, Fri Sep 04 13:42:03 2015

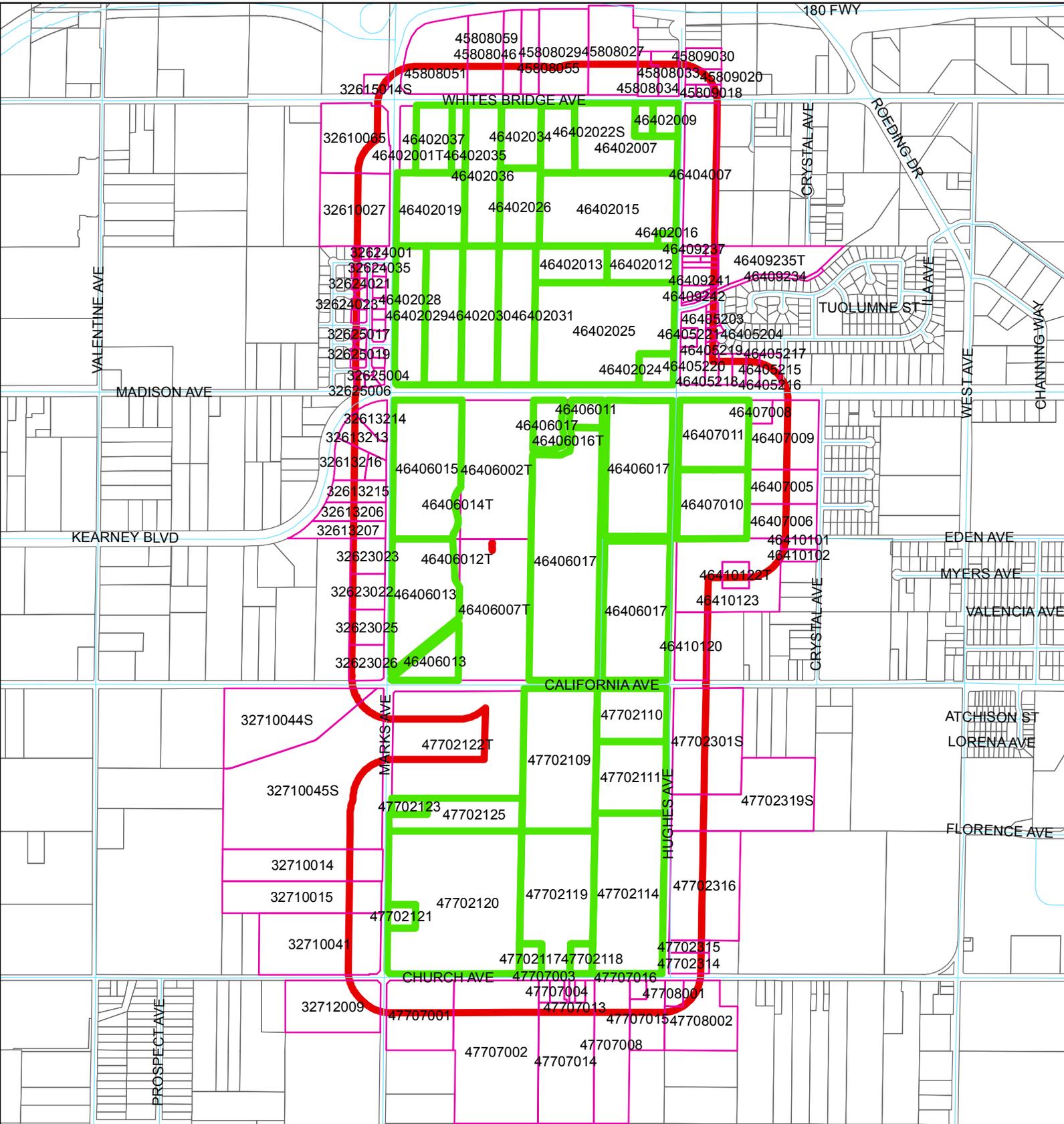
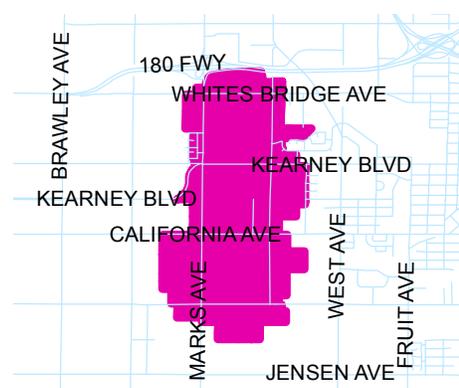
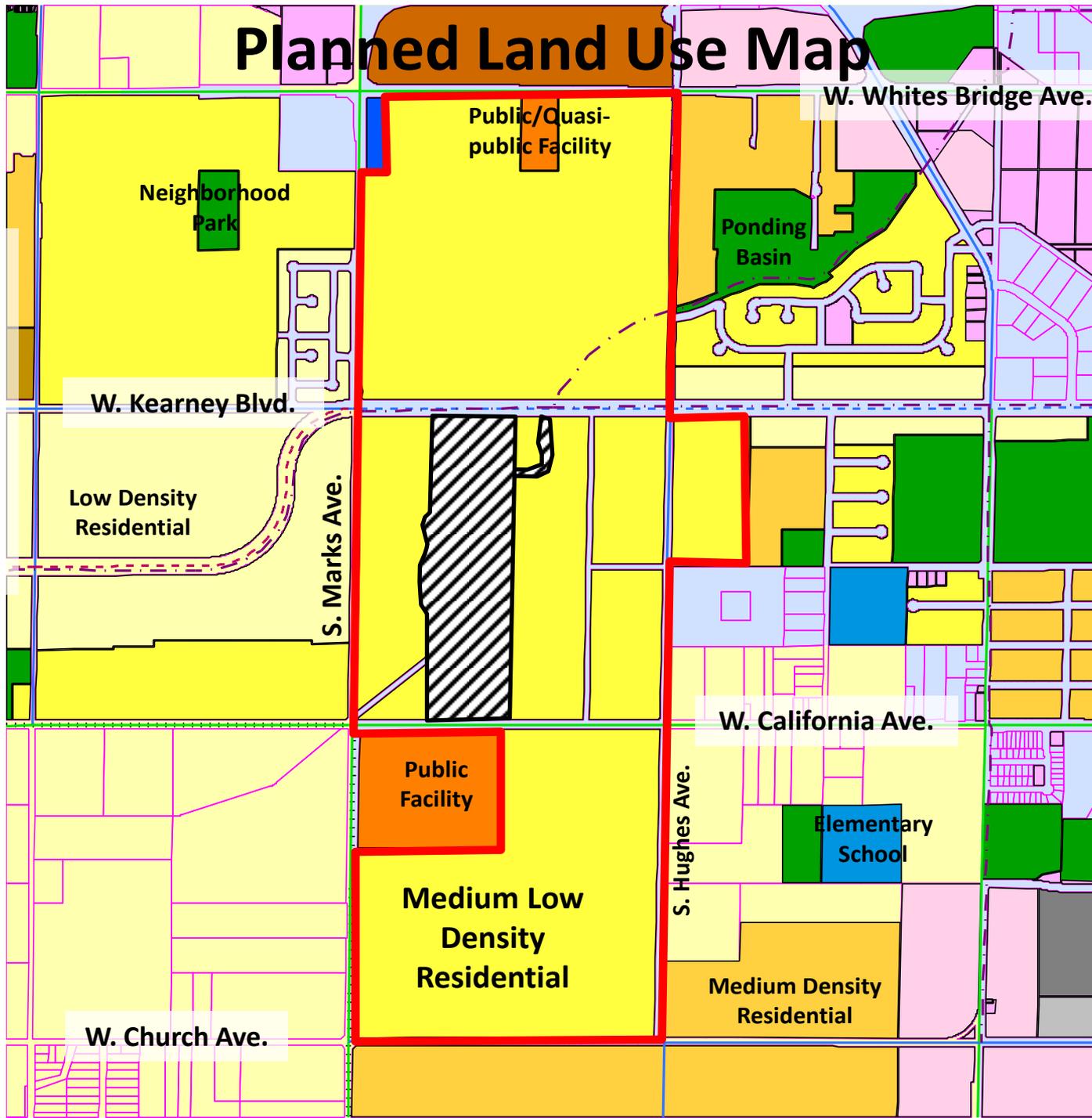


Exhibit 4:
Fresno General Plan Planned Land Use Map

Planned Land Use Map

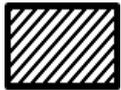


Legend:

Subject Property



Property not included in the Rezone



Public/Quasi-public Facility

Neighborhood Park

Ponding Basin

W. Kearney Blvd.

Low Density Residential

S. Marks Ave.

W. California Ave.

Public Facility

S. Hughes Ave.

Elementary School

Medium Low Density Residential

Medium Density Residential

W. Church Ave.

Exhibit 5:
Existing Zoning Exhibit

Existing Zoning Map

W. Whites Bridge Ave.

R-A

M-1

R-1-C

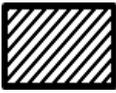
R-A

M-1

Legend:
Subject
Property



Property not
included
in the Rezone



R-1

R-1

R-1-B

R-1

AE-5

R-2-A

C-6

W. Kearney Blvd.

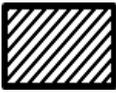
R-1-A

AE-5

R-1-C

R-1-C

Property not
included
in the Rezone



AE-5

R-2

R-1

AE-5

S. Marks Ave.

R-A

R-A

R-1-C

R-A

R-1-C

R-1-C

W. California Ave.

R-1

S. Hughes Ave.

R-3

R-3

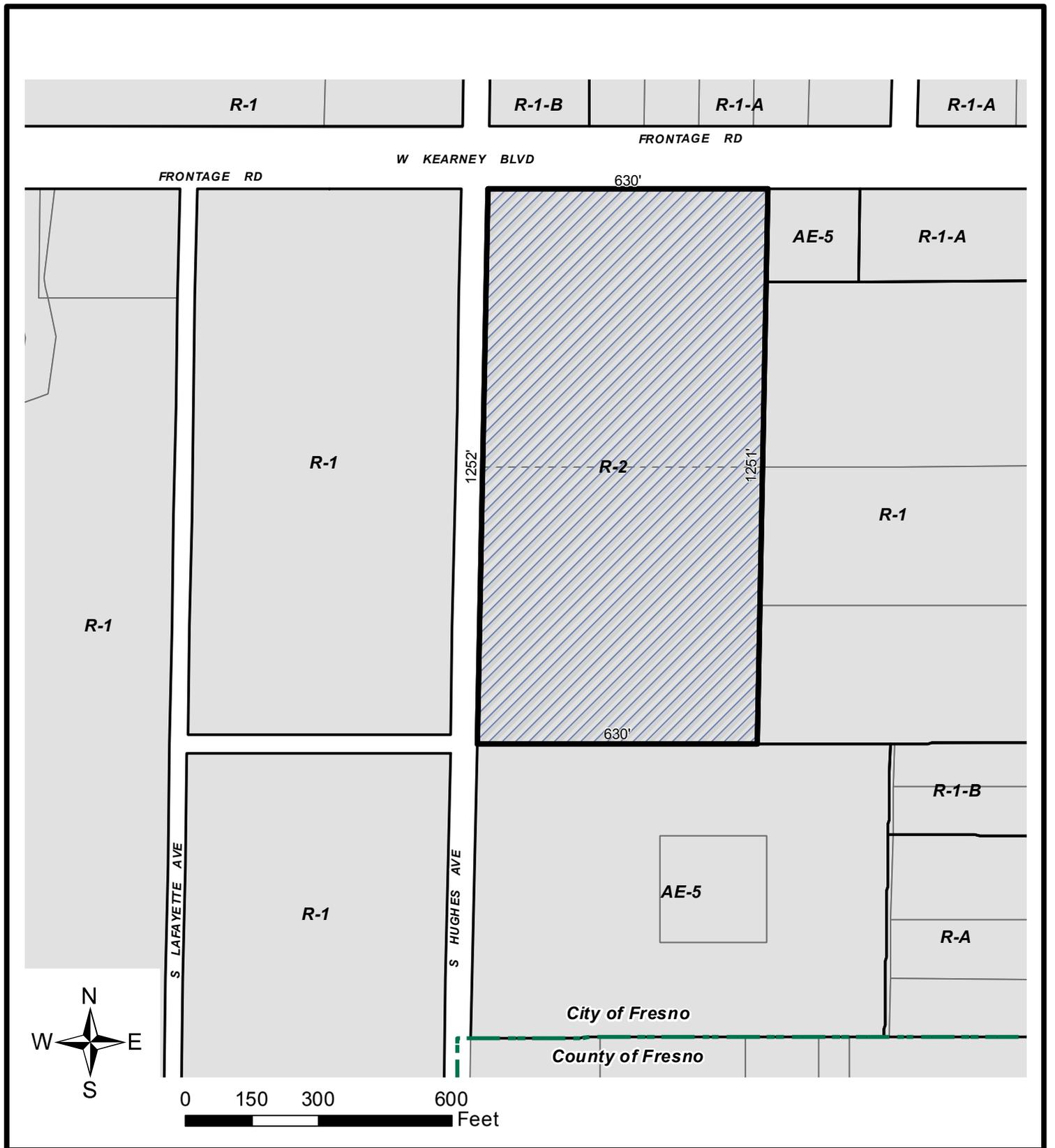
M-3

M-1

W. Church Ave.

M-1

Exhibit 6:
Proposed Zoning Maps



R-14-010
APN: 464-070-10 and 11

 R-2/UGM/cz to R-1/UGM/cz, 18.10 Acres

 City Limits

Exhibit 7:
Ordinance Bill No. 2004-140 for R-04-097

Recording Requested by:
City Clerk, Fresno, California
No Fee-Govt. Code 6103

Return to City Clerk, Fresno



FRESNO County Recorder
Robert C. Werner
DOC- 2005-0000764
Monday, JAN 03, 2005 15:02:28
Ttl Pd \$0.00 Nbr-0001698463
RGR/R7/1-12

Space above this line reserved for Fresno County Recorder's Office

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY Sterling SECONDED BY Duncan

BILL NO. B-142

ORDINANCE NO. 2004-140

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, Rezone Application No. R-04-97 has been filed with the City of Fresno by Gary Vigen on behalf of Running Horse, LLC, property owner, to rezone property as described in attached Exhibit L; and,

WHEREAS, on April 3, 2001, the City Council adopted Resolution No. 2001-118 initiating the adoption of a new General Plan, also known as the 2025 Fresno General Plan (hereinafter, "2025 Plan"); and,

WHEREAS, the Director of Planning and Development determined that an environmental impact report (EIR No. 10134) shall be prepared for the Running Horse Development Project including submitted Plan Amendment Application No. A-04-30 and Rezone Application No. R-04-97 and the City of Fresno contracted with a professional environmental consultant to conduct the requisite studies and analyses of the potential environmental impact and proposed mitigation measures, as applicable; and,

Adopted 12/21/04
Approved 12/21/04
Effective 1/21/05

1
2004-140

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Plan which correspondingly updated the Edison Community Plan and by Resolution No. 2002-378 certified Master Environmental Impact Report No. 10130 which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and extended sphere of influence; and,

WHEREAS, the adopted land use of the 2025 Plan shown for the Running Horse Development Project is as initiated by the City Council on April 3, 2001, as the preferred alternative 2025 Plan; and,

WHEREAS, Rezone Application No. R-04-97 as originally filed with the City of Fresno to rezone the property as described below:

Requested Zoning: R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) (Exhibit A, attached)
R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/ conditions of zoning*) (Exhibit A, attached)

Existing Zoning: M-1 (*Light Manufacturing*), R-A (*Single Family Residential Agricultural*), C-6 (*Heavy Commercial*), AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*), AL-20 (*Limited Twenty Acre Ag*) (*County*) zone districts.

Applicant: Gary Vegin on behalf of Running Horse, LLC

Location: Bounded by West Whites Bridge Avenue, South Hughes Avenue, West Church Avenue and South Marks Avenue

APN: 464-020-07,08,09,12,13,15,16,19,
20,22S,24,25,26,28,29,30,31,34,37 and 464-060-01,02T
04,07T,08,09 and 477-021-09,10,11,14,17,18,19,20,21,22,23

Legal Description: Exhibit L, attached.



WHEREAS, the Edison/Merger II Citizens Advisory Committee, on November 15, 2004, reviewed the requested rezone application and made a recommendation to the Planning Commission and City Council; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a duly noticed public hearing on the 8th day of December, 2004, to consider Rezone Application No. R-04-97 at which hearing the Commission considered and discussed the adequacy of the proposed Final EIR No. 10134 as an informational document, including Draft EIR No. 10134 dated August 2004 and Responses to Written Comments dated November 2004 and related technical analyses attached thereto; and,

WHEREAS, the Fresno City Planning Commission found that the proposed Final EIR No. 10134, as presented, adequately discusses the potential significant impacts of the Running Horse Development Project and that subject to the mitigation measures contained therein and subject to City Council consideration of an appropriate statement of overriding considerations, there is no evidence in the record that significant effects on the environment have not been mitigated to the extent feasible and recommended that the City Council certify the proposed Final EIR; and,

WHEREAS, on December 8, 2004, the Fresno City Planning Commission considered the staff report and related information and received public testimony with respect to the proposed rezone application and considered the proposed project in accordance with the policies of the Edison Community Plan and the 2025 Fresno General Plan and recommended to the City Council that the rezoning of the subject property be approved as shown in Exhibit 1, attached, subject to the following conditions:



The following **Condition of Zoning** shall apply to **only** the R-1/UGM zone district noted in Exhibit 1:

1. The outlots identified in Conditional Use Permit Application No. C-04-237 and shown as golf course on Exhibit 2(which is not being considered at his hearing), although zoned R-1/UGM/cz, shall only be permitted for golf course development to ensure that the applicant completes a unified development of the entire Running Horse residential golf course community.

The following **Conditions of Zoning** shall apply to **both** the R-1/UGM and R-2/UGM zone districts noted in Exhibit 1:

1. Implementation of the approved zone districts and development of the properties described by Rezone Application No. R-04-97 shall be subject to the implementation of the mitigation measures established by the certification of Final Environmental Impact Report No. 10134 (2004041023).
2. Dedication of an aviation easement to the City of Fresno for the construction of new or rehabilitated buildings located within the Traffic Pattern (Zone 6) identified in the Chandler-Fresno Downtown Airport Master and Environs Specific Plan.
3. Recordation of an agreement in favor of the City of Fresno, in a form approved by the City Attorney, stating that it is understood by the owner's and owner's successors in interest that the real property in question lies close to Chandler-Fresno Downtown Airport and that the operation of the Airport and the landing and take-off of aircraft may generate high noise levels which will effect the habitability and quiet enjoyment of the property. The owners shall also covenant to accept and acknowledge the operation of the Chandler-Fresno Downtown



Airport. The agreement shall run with the land and shall be binding upon the present and subsequent owners of the property.

4. **All** new construction of single-family homes shall have fire sprinklers in accordance with the requirements of the Fresno Fire Department.
5. Applicant shall be required to prepare and implement a Wildlife Management Plan.
6. Applicant shall secure at least 380-acre feet of surface water annually for golf course irrigation and recharge purposes.
7. A right-to-farm covenant shall be recorded with each lot and shall run with the land.

WHEREAS, on December 21, 2004, the Fresno City Council held a public hearing to consider Rezone Application No. R-04-97 and received both oral testimony and written information regarding the proposed rezone application; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. The Council finds based upon its own judgment, that Final Environmental Impact Report No. 10134 has been completed in compliance with the California Environmental Quality Act (CEQA) and that subject to the mitigation measures noted in Final Environmental Impact Report No. 10134 dated August and November 2004, there is no substantial evidence in the record in regard to Rezone Application No. R-04-97 that most significant project related effects on the environment have not been mitigated to the extent feasible. Council also determines that some significant project related and cumulative impacts cannot be mitigated or avoided and thereby adopts a statement of overriding economic and social considerations



as related to Environmental Impact Report No. 10134.

SECTION 2. The Council finds that the requested zone districts, as shown on Exhibit 1, attached, are consistent with the proposed land use designations of the 2025 Fresno General Plan and Edison Community Plan as amended by Plan Amendment Application No. A-04-30 and as specified in Section 12-403-B of the Fresno Municipal Code.

SECTION 3. The zone district of the real property described in attached Exhibit L, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno is reclassified as illustrated on attached Exhibit 1 from the M-1 (*Light Manufacturing*), R-A (*Single Family Residential Agricultural*), C-6 (*Heavy Commercial*), AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*), AL-20 (*Limited Twenty Acre Ag*) (*County*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*).

SECTION 4. The development of the property described in Section 3 shall be conditioned upon the following list of conditions, all of which are recorded and on file with the Fresno County Recorder's Office:

The following **Condition of Zoning** shall apply to **only** the R-1/UGM zone district noted in Exhibit 1:

1. The outlots identified in Conditional Use Permit Application No. C-04-237 and shown as golf course on Exhibit 2(which is not being considered at his hearing), although zoned R-1/UGM/cz, shall only be permitted for golf course development to ensure that the applicant completes a unified development of the entire Running Horse residential golf course community.



The following **Conditions of Zoning** shall apply to **both** the R-1/UGM and R-2/UGM zone districts noted in Exhibit 2:

1. Implementation of the approved zone districts and development of the properties described by Rezone Application No. R-04-97 shall be subject to the implementation of the mitigation measures established by the certification of Final Environmental Impact Report No. 10134 (2004041023).
2. All new construction of single-family homes shall have fire sprinklers in accordance with the requirements of the Fresno Fire Department.
3. Applicant shall secure at least 380-acre feet of surface water annually for golf course irrigation and recharge purposes.
4. A right-to-farm covenant shall be recorded with each lot and shall run with the land.
5. An Avigation Easement shall be required to:
 - a. Ensure the ability to enforce FAR Part 77 limitations beyond the boundaries of the airport and within the Airport Review Area;
 - b. Enforce limitations related to adopted safety criteria as stated in the Fresno-Chandler Executive Land Use Policy Plan.
6. A limitation that the maximum allowable density for uses be established at 150 persons per acre. This limitation shall be recorded as a covenant running with the land.
7. An FAA Form 7460-1, Notice of Proposed Construction or Alteration, or other suitable documents similar to FAA Form 7460-1, shall be filed with the FAA together with a Wildlife Hazard Assessment and resultant FAA recommendations shall be adhered to in the drafting of the proposed Wildlife Hazard Management Plan.

A handwritten number '1' is located in the bottom right corner of the page.

8. Airspace Protection

- a. No structure, tree or other object shall be permitted to exceed the height limits established in accordance with Part 77, Subpart C, of the Federal Aviation Regulations (FAR). This criterion applies unless, in the case of a proposed object or growing tree, one or more of the following conditions exist:
 1. The object would be substantially shielded by existing permanent structures or terrain in a manner such that it clearly would not affect the safety of air navigation;
 2. The FAA has conducted an aeronautical study and either determined that the object would not result in a hazard to air navigation or made recommendations for the object's proper marking and lighting as an obstruction;
 3. The object is otherwise exempted from the requirements of FAR Part 77. In the case of an existing object, this criterion also applies unless the object exceeded the prescribed height limits prior to February 20, 1987, in which case, marking lighting will still be required.
- b. No object shall be permitted to be erected which because of height or other factors would result in an increase in the minimum ceiling or visibility criteria for an existing or proposed instrument approach procedure.
- c. The FAR Part 77 surfaces depicted on Figure D-2, "FAR Part 77 Imaginary Surfaces," shall be used in conjunction with the above airspace conditions to determine whether the height of an object is acceptable.



SECTION 5. This ordinance shall become effective and in full force and effect at 12:01 a.m.
on the thirty-first day after its passage.

///

///

///

CLERK'S CERTIFICATION

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

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 21st day of December, 2004, by the following vote:

Ayes: Boyajian, Calhoun, Dages, Duncan, Perea, Sterling, Castillo
Noes: None
Absent: None
Abstain: None

REBECCA E. KLISCH
City Clerk

By Rebecca Klisch



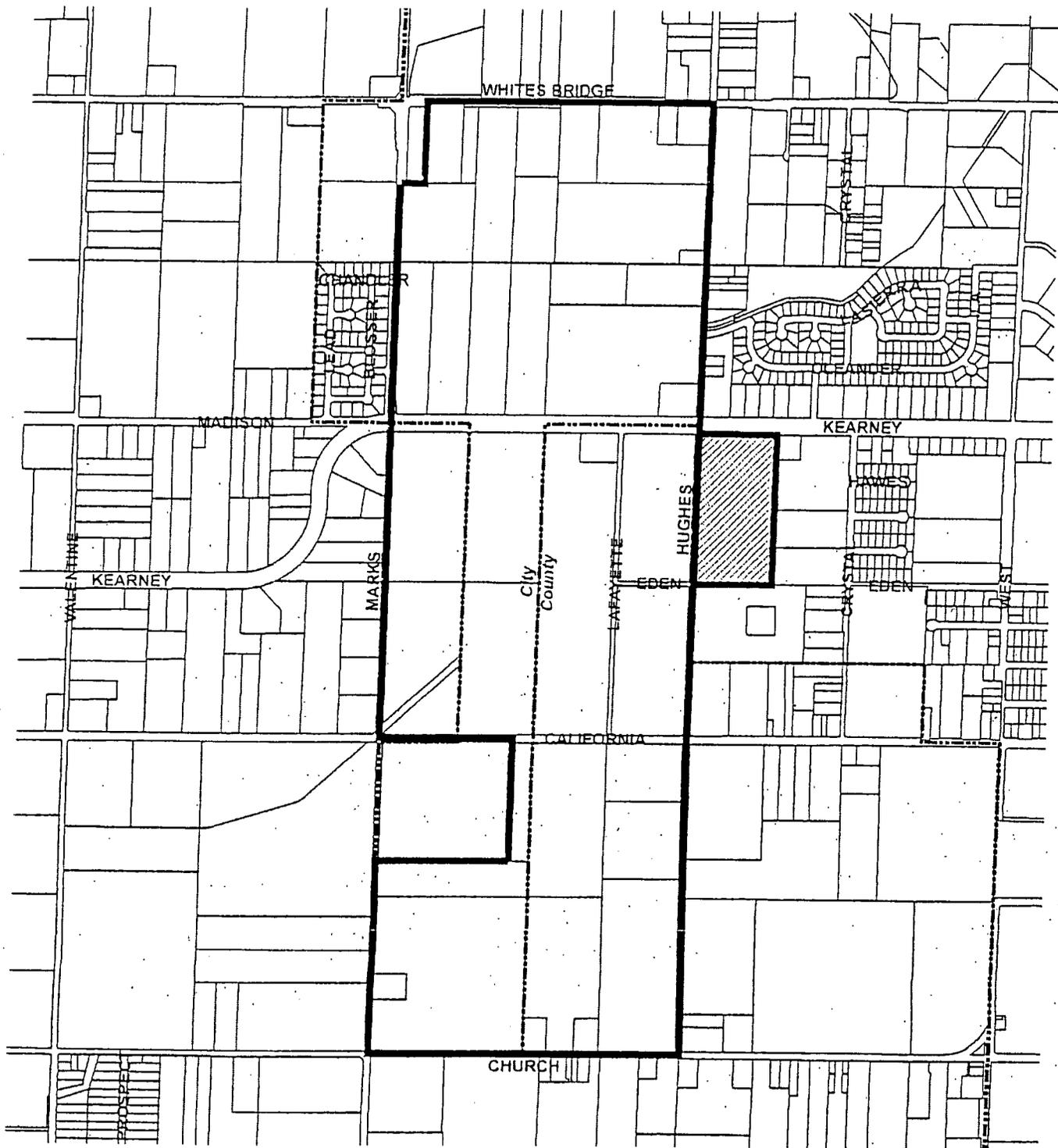
APPROVED AS TO FORM:

HILDA CANTU MONTON
City Attorney

By [Signature]
Deputy

Rezone Application No. R-04-97
Filed by Gary Vigen
Assessor's Parcel Nos. 464-020-07,08,09,12,13,15,16,19, 20,22S,24,25,26,28,29,30,31,34,37
and 464-060-01,02T,04,07T,08,09,464-070-07 ,477-021-09,10,11,14,17,18,19,20,21,22,23

10



LEGEND


Subject Property
 Medium Low Density Residential/Golf Course Land Use and R-1/UGM Zoning.


Subject Property
 Medium High Density Residential/Golf Course Land Use and R-2/UGM Zoning.

VICINITY MAP

PLAN AMENDMENT NO. A-04-030

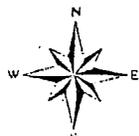
From Low, Medium & High Density Resid. & Neigh. Park Open Space to Med. Low Density Res./Golf Course & Med. High Density Res./Golf Course

REZONE APPLICATION NO. R-04-097

From AE-5/UGM, R-A/UGM, C-6/UGM, C-6, M-1 and AL-20 (County) to R-1/UGM and R-2/UGM

Btwn Marks, Hughes, Whites Bridge & Church

PLANNING & DEVELOPMENT DEPARTMENT



NOT TO SCALE

A.P.N.: Book/Page: 464-02.06:477-02

ZONE MAP: 2447.2547

BY/DATE: J.S. / 12-1-04

EXHIBIT "L"
REZONE APPLICATION NO. R-04-97

**LEGAL DESCRIPTIONS
FOR PROPOSED REZONE OF
RUNNING HORSE DEVELOPMENT PROJECT**

FROM: M-1 (*Light Manufacturing*), R-A (*Single Family Residential Agricultural*), C-6 (*Heavy Commercial*), AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*), AL-20 (*Limited Twenty Acre Ag*) (County) zone districts.

TO: R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/ conditions of zoning*)

1) LEGAL DESCRIPTION FOR THE R-1/UGM/CZ ZONE DISTRICT:

APNs: 464-020-07,08,09,12,13,15,16,22S,24,25,26,28,29,30,31,34,35,36,37, and 464-060-01,02T,04,07T,08,09, and 477-021-09,10,11,14,17,18,19,20,21,23

THAT CERTAIN REAL PROPERTY SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF FRESNO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN THE WEST HALF OF SECTION 7 AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING THEREFROM THE WEST 200 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST OF THE NORTHWEST QUARTER OF SECTION SEVEN, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING THE UNITED STATES GOVERNMENT TOWN SHIP PLATS.

ALSO EXCEPTING THEREFROM THAT PARCEL OF LAND DEEDED TO THE CITY OF FRESNO November 14, 2002 BY DOCUMENT NO. 2003-0276316, OFFICIAL RECORDS OF FRESNO COUNTY.

2) LEGAL DESCRIPTION FOR THE R-2/UGM/CZ ZONE DISTRICT

APN 464-070-007

THAT CERTAIN REAL PROPERTY SITUATE IN THE STATE OF CALIFORNIA, COUNTY OF FRESNO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN SECTION 7, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN.

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 7.



Exhibit 8:
Conditions of Zoning with Exhibits

Conditions of Zoning for R-14-010

Text in **red bold** is added language, ~~strikethrough~~ text is removed

The following conditions of zoning apply to properties depicted in Exhibit A (APNs 464-020-07, 08, 09, 12, 13, 15, 16, 19, 22s, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 37; 464-060-11, 13, 15, 17; 464-070-10, 11; 477-021-09, 10, 11, 14, 17, 18, 19, 20, 21, 24t, 25):

- All new construction of single-family homes shall have fire sprinklers in accordance with the requirements of the Fresno Fire Department.
- A right-to-farm covenant shall be recorded with each lot and shall run with the land.

The following conditions of zoning apply to properties depicted in Exhibit B (APNs 464-020-07, 08, 09, 12, 13, 15, 16, 22s, 24, 25, 26, 30, 31, 34, 36; 464-060-11, 17; 464-070-10, 11):

- Dedication of an avigation easement to the City of Fresno for the construction of new or rehabilitated buildings located within the Traffic Pattern (Zone 6) identified in the Chandler-Fresno Downtown Airport Master and Environs Plan.
- Recordation of an agreement in favor of the City of Fresno, in a form approved by the City Attorney, stating that it is understood by the owner's and owner's successors in interest that the real property in question lies close to Chandler-Fresno Downtown Airport and that the operation of the Airport and the landing and take-off or aircraft may generate high noise levels which will affect the habitability and quiet enjoyment of the property. The owners shall also covenant to accept and acknowledge the operation of the Chandler-Fresno Downtown Airport. The agreement shall run with the land and shall be binding upon the present and subsequent owners of the property.
- Applicant shall be required to prepare and implement a Wildlife Management Plan.
- An Avigation Easement shall be required to:
 - Ensure the ability to enforce FAR Part 77 limitations beyond the boundaries of the airport and within the Airport Review Area;
 - Enforce limitations related to adopted safety criteria as stated in the Fresno-Chandler Executive Land Use Policy Plan.
- A limitation that the maximum allowable density for uses be established at 150 persons per acre. This limitation shall be recorded as a covenant running with the land.
- An FAA Form 7460-1, Notice of Proposed Construction or Alteration, or other suitable documents similar to FAA Form 7460-1, shall be filed with the FAA together with a Wildlife Hazard Assessment and resultant FAA recommendations shall be adhered to in the drafting of the proposed Wildlife Hazard Management Plan.

- **Airspace Protection**
 - No structure, tree or other object shall be permitted to exceed the height limits established in accordance with Part 77, Subpart C, of the Federal Aviation Regulations (FAR). This criterion applies unless, in the case of a proposed object or growing tree, one or more of the following conditions exist:
 - The object would be substantially shielded by existing permanent structures or terrain in a manner such that it clearly would not affect the safety of air navigation;
 - The FAA has conducted an aeronautical study and either determined that the object would not result in a hazard to air navigation or made recommendations for the object's proper marking and lighting as an obstruction;
 - The object is otherwise exempted from the requirements of FAR Part 77. In the case of an existing object, this criterion also applies unless the object exceeded the prescribed height limits prior to February 20, 1987, in which case, marking lighting will still be required.
 - No object shall be permitted to be erected which because of height or other factors would result in an increase in the minimum ceiling or visibility criteria for an existing or proposed instrument approach procedure.
 - The FAR Part 77 surfaces depicted on Figure D-2, "FAR Part 77 Imaginary Surfaces," shall be used in conjunction with the above airspace conditions to determine whether the height of an object is acceptable.

The following conditions of zoning apply to properties depicted in Exhibit C (APNs 464-020-07, 08, 09, 12, 13, 15, 16, 19, 25, 26, 28, 29, 30, 31, 34, 35, 36, 37; 464-060-15, 17; 464-070-10, 11; 477-021-09, 11, 18, 19, 20, 25):

- **Public park space shall be required as part of this development. A minimum of two Neighborhood Parks and one Community Park (as defined by the Fresno General Plan) are required. The amenities in the park may include, but are not limited to covered tot-lots, shaded areas, covered benches, fields, parking, and water fountains. The final size of the three parks, amenities, and location of the park space shall be determined by the Director of the Parks Department. The proposed parks shall be advertised on the City's website as public parks.**

The following condition of zoning applies to properties depicted in Exhibit D (APNs 464-020-24, 25, 28, 29, 30, 31; 464-060-11, 15, 17; 464-070-11):

- **Future lots that abut Kearney Boulevard Frontage Road shall front onto Kearney Boulevard Frontage Road. The applicant shall submit elevations to the Development and Resource Management Department for review and approval prior to issuance of building permits.**

Delete the following conditions:

- ~~• The outlots identified in Conditional Use Permit Application No. C-04-237 and shown as golf course on Exhibit 2 (which is not being considered at his hearing), although zoned R-1/UGM/cz, shall only be permitted for golf course development to ensure that the applicant completes a unified development of the entire Running Horse residential golf course community.~~
- ~~• Implementation of the approved zone districts and development of the properties described by Rezone Application No. R-04-97 shall be subject to the implementation of the mitigation measures established by the certification of Final Environmental Impact Report No. 10134 (20044041023).~~
- ~~• Applicant shall secure at least 380-acre feet of surface water annually for golf course irrigation and recharge purposes.~~

EXHIBIT A

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property not included in the Rezone



S. Marks Ave.

W. Kearney Blvd.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

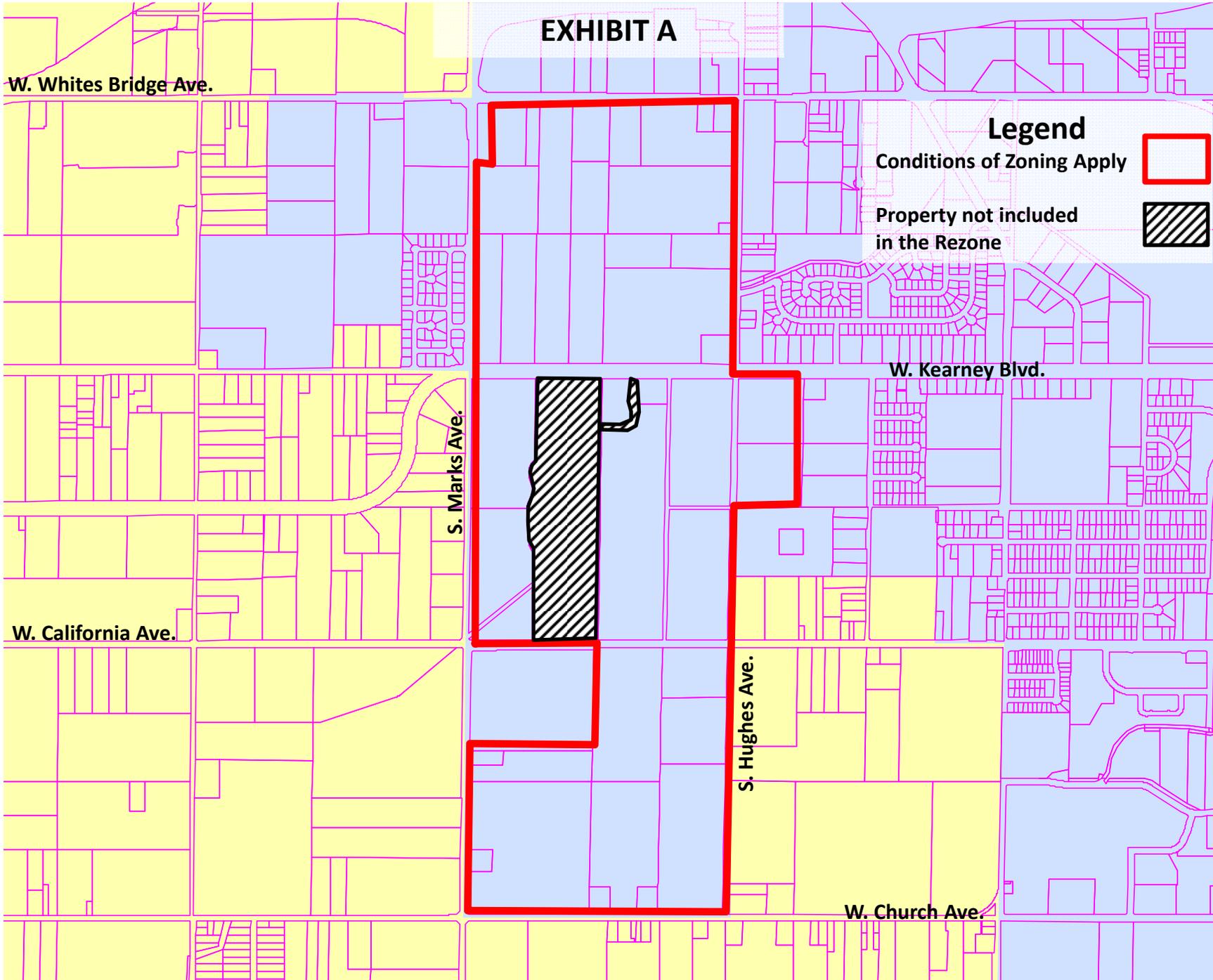


EXHIBIT B

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property that Conditions of Zoning do not apply



S. Marks Ave.

W. Kearney Blvd.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

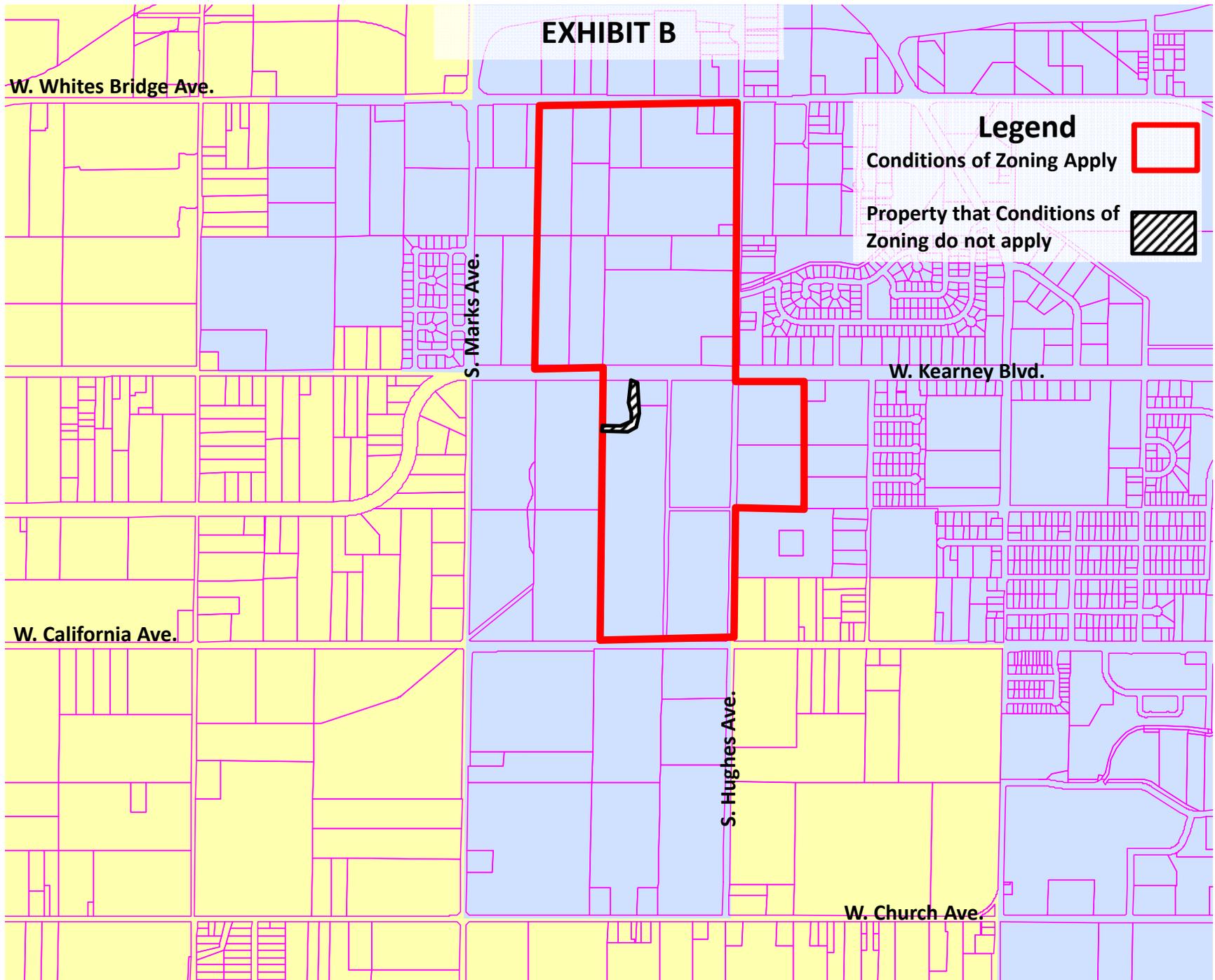


EXHIBIT C

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property that Conditions of Zoning do not apply



S. Marks Ave.

W. Kearney Blvd.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

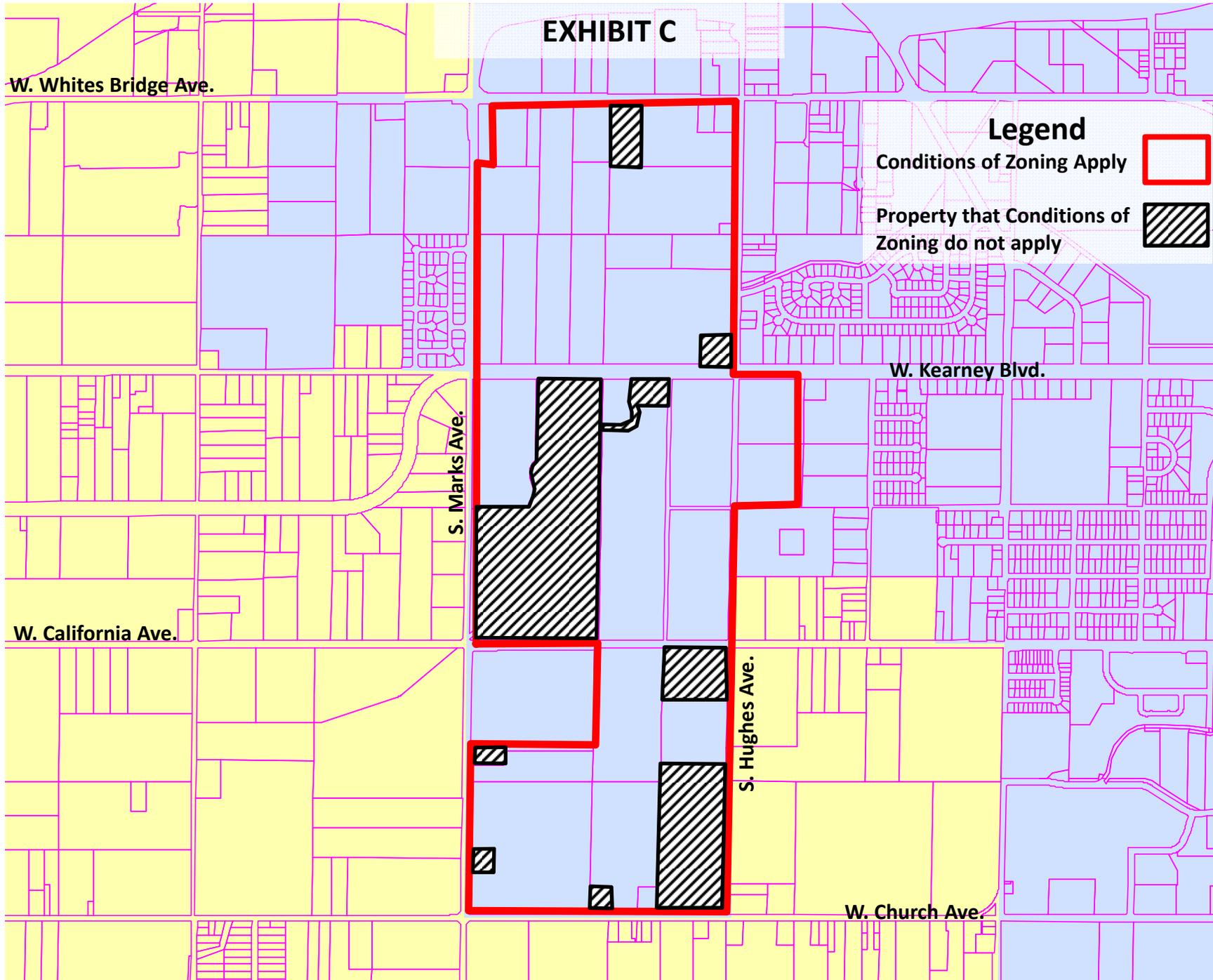


EXHIBIT D

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property that Conditions of Zoning do not apply



S. Marks Ave.

W. Kearney Blvd.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

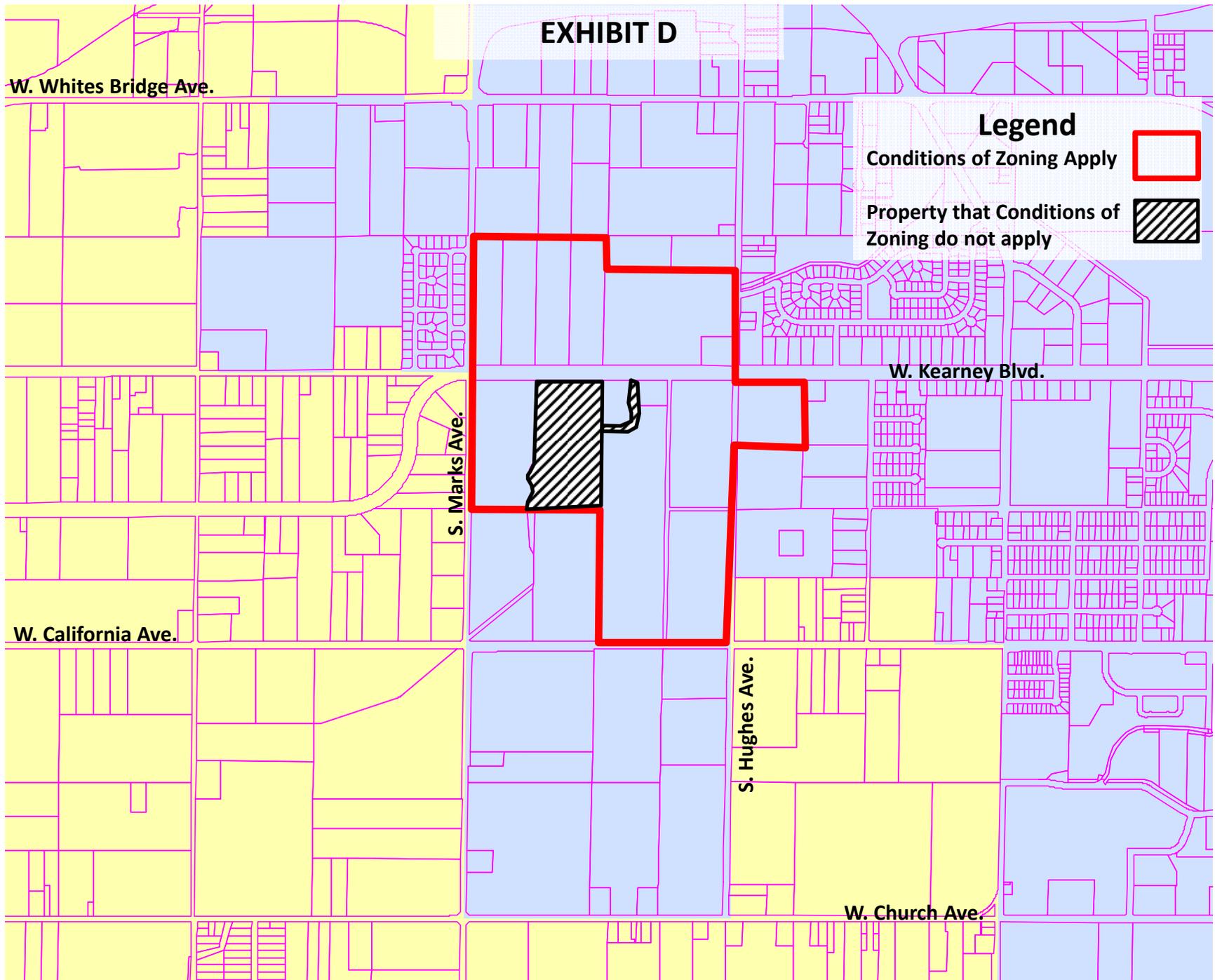


Exhibit 9:
Environmental Assessment

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT
FINDING OF CONFORMITY / MEIR SCH No. 2012111015**

<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) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014.</p>	<p align="center">DATE RECEIVED FOR FILING: Filed with the Fresno County Clerk's office on August 14, 2015</p>
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<p>Applicant: Jeffrey T. Roberts Granville Homes – Agent 1396 West Herndon Avenue Fresno, CA 93711</p>	<p>Initial Study Prepared By: McKencie Contreras, Supervising Planner August 14, 2015</p>
---	--

<p>Environmental Assessment Number: R-14-010</p>	<p>Project Location (including APN): Generally bounded by West Whites Bridge, South Hughes, West Church, and South Marks Avenues in the City and County of Fresno, California</p> <p>APNs: 464-020-07, 08, 09, 12, 13, 15, 16, 19, 22S, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 37; 464-060-11, 13, 15, 17; 464-070-10, 11; 477-021-09, 10, 11, 14, 17, 18, 19, 20, 21, 24T, 25 (see attached Exhibit A)</p> <p>Site Latitude: 36°43'42.2322" N Site Longitude: 119°50'34.17" W Mount Diablo Base & Meridian, Township 14S, Range 20E, Sections 7 & 18</p>
--	---

Project Description: Rezone Application No. R-14-010 proposes to amend the Official Zone Map to reclassify the subject property from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district. The applicant proposes to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-97. The applicant will be required to submit for a master plan for property owned by C&A Farms (and any other property acquired for the master plan).

Conformance to Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014:

The existing and proposed R-1 zoning is consistent with the subject properties Medium-Low Density Residential and Public/Quasi-public Facility planned land use designations as designated by the Fresno General Plan.

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Appendix G To Analyze Subsequent Project Identified In MEIR No. SCH No. 2012111015/Initial Study") to evaluate the proposed applications in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's General Plan adopted by the Fresno City Council on December 18, 2014 and the related MEIR SCH No. 2012111015. The proposed rezone will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted zoning and planned land use designation. Moreover, it is not

expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of the MEIR have been 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 the MEIR 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 falls within the scope of the MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the above mentioned planned land use designation specified for the subject sites. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in the MEIR because its, location, land use designation and permissible densities and intensities are set forth in Figure LU-1 of the Fresno General Plan; (2) The proposed project is fully within the scope of the MEIR because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Moreover, as lead agency for this project, the Development and Resource Management Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from the MEIR shall be applied to the project as conditions of approval as set forth in the attached MEIR Mitigation Measure Monitoring Checklist (See "Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the General Plan, Mitigation Monitoring Checklist".)

Public notice has been provided regarding staff's finding in the manner prescribed by Section 15177(d) of the CEQA Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).



8.14.15

McKencie Contreras, Supervising Planner
City of Fresno

Date

Attachments: Exhibit A: Vicinity Map
Exhibit B: Notice of Intent to Adopt a Finding of Conformity
Exhibit C: Appendix G To Analyze Subsequent Project Identified In MEIR No. SCH No. 2012111015/Initial Study for Environmental Assessment No. R-14-010
Exhibit D: MEIR Mitigation Measure Monitoring Checklist for EA No. R-14-010

Exhibit A:
Vicinity Map

EXHIBIT A of R-14-010

W. Whites Bridge Ave.

Legend

Conditions of Zoning Apply



Property not included
in the Rezone



W. Kearney Blvd.

S. Marks Ave.

W. California Ave.

S. Hughes Ave.

W. Church Ave.

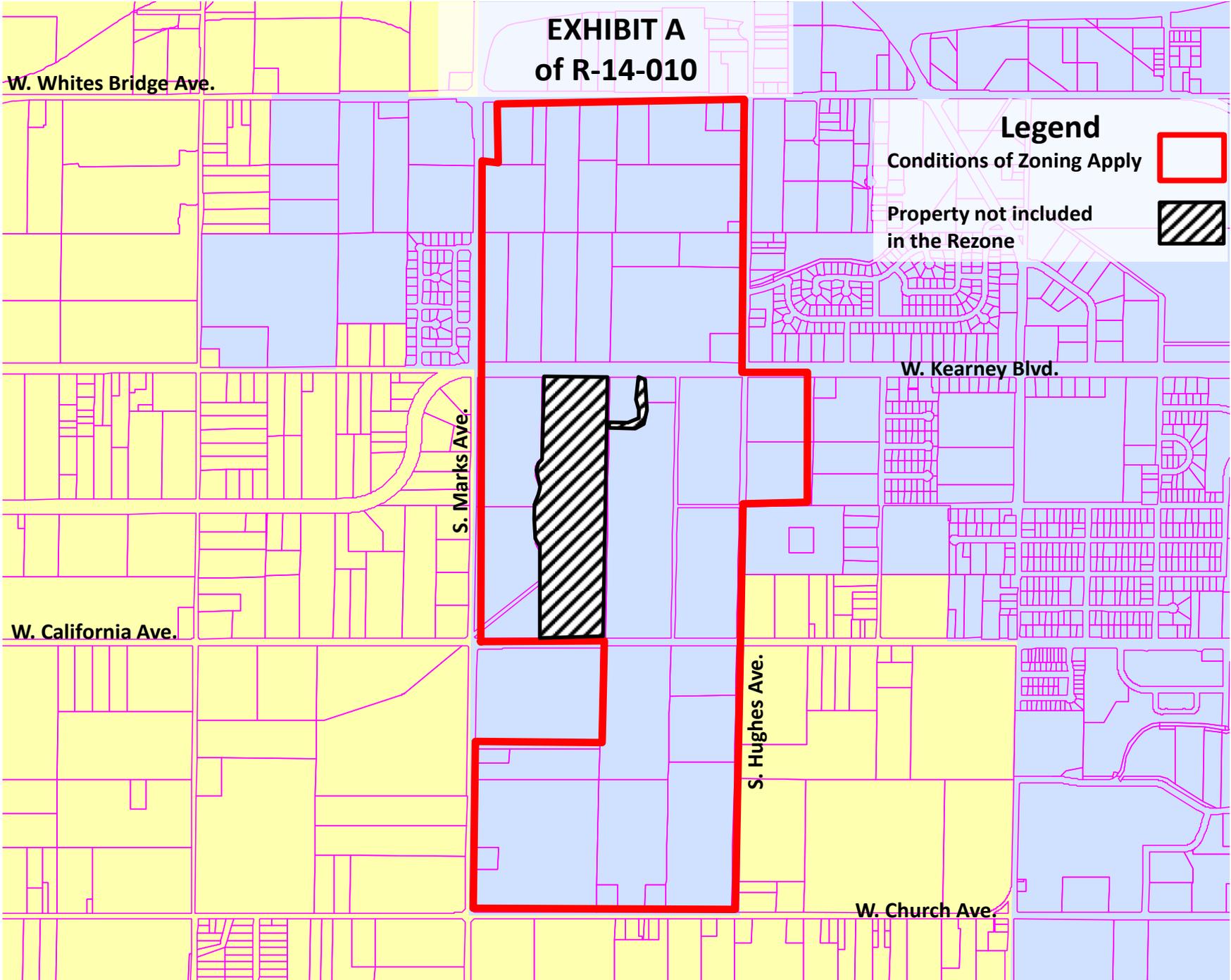
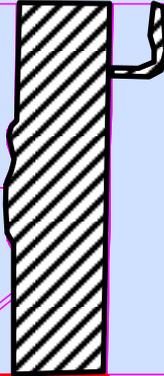


Exhibit B:
Notice of Intent

<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: FRESNO COUNTY CLERK 2221 Kern Street, Fresno, CA 93721</p>
<p style="text-align: center;">PROJECT TITLE & ENVIRONMENTAL ASSESSMENT</p> <p style="text-align: center;">EA No. R-14-010 for Rezone Application No. R-14-010</p>	
<p>APPLICANTS: Jeffrey T. Roberts Granville Homes – Agent 1396 West Herndon Avenue Fresno, CA 93711</p>	
<p>PROJECT LOCATION: Generally bounded by West Whites Bridge, South Hughes, West Church, and South Marks Avenues in the City and County of Fresno, California</p> <p>APNs: 464-020-07, 08, 09, 12, 13, 15, 16, 19, 22S, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 37; 464-060-11, 13, 15, 17; 464-070-10, 11; 477-021-09, 10, 11, 14, 17, 18, 19, 20, 21, 24T, 25 (see attached Exhibit A)</p> <p>Site Latitude: 36°43'42.2322" N Site Longitude: 119°50'34.17" W Mount Diablo Base & Meridian, Township 14S, Range 20E, Sections 7 & 18</p>	
<p>PROJECT DESCRIPTION: Rezone Application No. R-14-010 proposes to amend the Official Zone Map to reclassify the subject property from the R-1/UGM/cz (<i>Single Family Residential/Urban Growth Management/conditions of zoning</i>) and R-2/UGM/cz (<i>Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning</i>) zone districts to the R-1/UGM/cz (<i>Single Family Residential/Urban Growth Management/conditions of zoning</i>) zone district. The applicant proposes to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-97. The existing and proposed R-1 zoning is consistent with the subject properties Medium-Low Density Residential and Public/Quasi-public Facility planned land use designations as designated by the Fresno General Plan.</p>	
<p>The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.</p>	

With mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the proposed environmental Finding of Conformity, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor-North, Room 3043, Fresno, California 93721-3604. Please contact McKencie Contreras at (559) 621-8066 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. Comments may be submitted at any time between the publication date of this notice and close of business on September 15, 2015. Please direct all comments to McKencie Contreras, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Third Floor, Room 3043, Fresno, California, 93721-3604; or by email, McKencie.Contreras@fresno.gov; or by facsimile, (559) 498 1026. Para información en español, comuníquese con McKencie Contreras al teléfono (559) 621-8066.

INITIAL STUDY PREPARED BY: McKencie Contreras Supervising Planner	SUBMITTED BY:  McKencie Contreras, Supervising Planner CITY OF FRESNO DEVELOPMENT & RESOURCE MANAGEMENT DEPT
DATE: August 14, 2015	

Exhibit C:
Appendix G

**APPENDIX G TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015/INITIAL
STUDY**

Environmental Checklist Form for:

EA No. R-14-010

1. Project title:

Rezone Application No. R-14-010

2. Lead agency name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721

3. Contact person and phone number:

McKencie Contreras, Supervising Planner
City of Fresno
Development and Resource Management Dept.
(559) 621-8066

4. Project location:

Generally bounded by West Whites Bridge, South Hughes, West Church, and South Marks Avenues in the City and County of Fresno, California

Assessor's Parcel Number(s): 464-020-07, 08, 09, 12, 13, 15, 16, 19, 22s, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 37; 464-060-11, 13, 15, 17; 464-070-10, 11; and 477-021-09, 10, 11, 14, 17, 18, 19, 20, 21, 24T, 25 (Exhibit A)

Site Latitude: 36°43'42.2322" N

Site Longitude: 119°50'34.17" W

Mount Diablo Base & Meridian, Township 14S, Range 20E, Sections 7 & 18

5. Project sponsor's name and address:

Jeffrey T. Roberts
Granville Homes - Agent
1396 West Herndon Avenue
Fresno, CA 93711

6. **General & Community plan designation:** Medium-Low Density Residential & Public/Quasi-public Facility

7. **Zoning:**

Existing - R-1/UGM/cz (Single Family Residential/Urban Growth Management/conditions of zoning) and R-2/UGM/cz (Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning)

Proposed - R-1/UGM/cz (Single Family Residential/Urban Growth Management/conditions of zoning)

8. **Description of project:**

Rezone Application No. R-14-010 proposes to amend the Official Zone Map to reclassify the subject property from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*). The applicant proposes to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-97. The proposed conditions to be removed reference an older development that will no longer be developed. The applicant will be required to submit for a master plan for property owned by C&A Farms (and any other property acquired for the master plan).

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Community Commercial	C-6, C-M & M-1	Agriculture Businesses, Vacant Land
East	Low, Medium-Low & Medium Density Residential, Open Space-Ponding Basin, Corridor/Center Mixed Use, Urban Neighborhood	AE-5 , R-A, R-1-B, R-1, M-1 & County	Agricultural Land, Single Family Residential, Vacant Land,
South	Medium Density Residential	County	Agricultural Land, Warehouse, Single Family Residential

West	Public Facility- Church, Low & Medium-Low Density Residential	R-1, C-5, & County	Church/Vacant Buildings, Agricultural Land, Vacant Land, Single Family Residential, Rural Residential, Veterans Home
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10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

City of Fresno (COF) Department of Public Works; COF Department of Public Utilities; COF Building and Safety Services Division; COF Fire Department; Fresno Metropolitan Flood Control District; Fresno County Department of Public Health; San Joaquin Valley Air Pollution Control District; Fresno Irrigation District; and County of Fresno

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this Master Environmental Impact Report (MEIR) initial study is to analyze whether the subsequent project was described in the MEIR SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR SCH No. 2012111015 adopted for the Fresno General Plan.

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Measure Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

- I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, 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. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Measure Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).



McKencie Contreras, Supervising Planner

8.14.15

Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR or Air Quality MND:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold

under consideration that was not previously examined in the MEIR, but that impact is less than significant;

- c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
 3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
 4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
 5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.
 6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
 7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MEIR,

or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 11. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

The subject property is surrounded by agriculture businesses and vacant land to the north, agricultural land, warehouses, and single family residential to the south, agricultural land, single family residential, and vacant land to the east, and a church, vacant buildings, agricultural land, vacant land, single family residential, and the Veterans Home to the west. Currently, the subject property is predominantly planted with almond trees that are farmed today. There are also seven existing single family residences within the subject property that will remain.

The subject property is bounded by West Whites Bridge Avenue on the north, West Church Avenue on the south, South Hughes Avenue on the east, and South Marks Avenue on the west. West California Avenue and West Kearney Boulevard run through the subject property.

Kearney Boulevard from its intersection with Fresno Street west to Marks Avenue is designated as a Scenic Collector street by the Fresno General Plan. West of Marks Avenue, Kearney Boulevard is designated as a Scenic Drive. Kearney Boulevard is currently lined with mature trees, which shall remain.

The proposed project will have a less than significant impact given that future development will be subject to the following policies, which preserve scenic corridors.

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

- *Kearney Boulevard – Fresno Street to Polk Avenue*

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

Future lots that abut Kearney Boulevard Frontage Road will be required to front onto Kearney Boulevard Frontage Road. The homes which front onto Kearney Boulevard Frontage Road will be required to be of similar architectural style as the homes along Kearney Boulevard between South Crystal and South Hughes Avenues.

Any lighting where provided to illuminate parking area and public streets 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. As a result, the project will have a less than significant impact on aesthetics.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:</p>				

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

The subject property is designated as “Prime Farmland,” “Farmland of Local Importance,” “Rural Residential Land,” and “Urban and Built-Up Land” by the 2012 Rural Mapping Edition: Fresno County Important Farmland Map. This map is currently in the process of being updated.

A portion of the subject property is currently under cultivation with almond trees which is an interim use. The subject property has an existing condition of zoning which states

that a right-to-farm covenant shall be recorded with each lot and shall run with the land. This condition of zoning will remain on the subject property.

The subject property and property adjacent to the subject property are not under a Williamson Act contract. Therefore, the proposed project on the subject site will not affect the Williamson Act contract parcels.

The proposed rezone does not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment.

In conclusion, the proposed project would not result in any agriculture and forestry resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -- Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations.				X
e) Create objectionable odors affecting a substantial number of people?				X

Setting

The subject site is located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects,

including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a “bowl” open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an “Inland Mediterranean” climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth’s surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment for the above-noted pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

As currently zoned, the entire subject property could potentially be developed with 2,915 dwelling units. With the proposed rezone the number of dwelling units would reduce to 2,735 dwelling units. Future development of the subject property would be subject to District Rule 9510 (Indirect Source Review). District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees.

The proposed rezone will not expose sensitive receptors to substantial pollutant concentrations or propose a use which will create objectionable odors. Therefore, there is no air quality or global climate change impacts perceived to occur as a result of the proposed project. Both short and long term impacts associated with construction and operation are below the District's significance thresholds.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any air quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The proposed rezone would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject property. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject property or in their immediate vicinity. Therefore, there would be no impacts.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places; however, in 1982 an eight and a half mile segment of Kearney Boulevard was evaluated and determined eligible for inclusion in the National Register of Historic Places. The Keeper of the Register at the National Park Service concurred with this eligibility. Therefore, the segment of Kearney Boulevard within the project boundary is considered a historical resource for the purposes of the California Environmental Quality Act. The rezone will not have a significant impact on Kearney Boulevard.

The proposed project will have less than significant impact on cultural resources given that the proposed project will only remove several conditions of zoning pertaining to previously planned development. The subject property will be further analyzed once a development project is proposed.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X

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

The proposed rezone is requesting authorization to remove several conditions of zoning which pertain to a development that is no longer planned for the area. No adverse environmental effects related to topography, soils or geology are expected as a result of this rezone. The request will have a less than significant impact on geology and soils.

In conclusion, the proposed project would not result in any geology or soil environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The proposed rezone will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly. The General Plan and MEIR rely upon a Greenhouse Gas Reduction Plan that provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce greenhouse gas emissions. The plan demonstrates that even though there is increased growth, the City would still be reducing greenhouse gas emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although it is highly likely that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted regulations is included.

In conclusion, the proposed project would not result in any greenhouse gas emission environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
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?				X

There are no known existing hazardous material conditions on the property and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials in a manner outside health department requirements, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

A portion of the subject property is located within the boundaries of the Fresno-Chandler Downtown Airport Master Plan area. The entire subject property is not within the vicinity of a private airstrip. The subject properties within the Fresno-Chandler Downtown Airport Master Plan area will maintain the existing conditions of zoning that are related to development in an airport area. Therefore, there will be less than significant impacts related to hazards.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any hazards and hazardous material impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
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)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
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?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			X	
f) Otherwise substantially degrade water quality?			X	
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?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The adverse groundwater conditions of limited supply and compromised quality have been well- documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report (MEIR) No. SCH No. 2012111015 for the Fresno General Plan, the MEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117, and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 Urban Water Management Plan. The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at buildout of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 1000,000 acre-feet per year. In order to meet this projection, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the project's water impacts to less than significant. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The FMFCD has stated that permanent drainage facilities are available for the subject site. The subject site does not appear to be located within a flood prone area as designated on the latest Flood Insurance Rate Maps available to the FMFCD.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any hydrology and water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
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?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The subject property is proposed to be reclassified from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) and R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district. The applicant proposes to remove several conditions of zoning listed in Ordinance No. 2004-140 for Rezone Application No. R-04-97. The proposed conditions to be removed reference an older development that will no longer be developed. The proposed R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district is consistent with the existing Medium-Low Density Residential and Public/Quasi-public Facility planned land use designations.

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

No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity. Therefore, there would be no impacts.

In conclusion, the proposed project would not result in any land use and planning environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The subject property is not located in an area designated for mineral resource preservation or recovery, therefore, will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The subject property is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore it will not result in the loss of availability of a locally-important mineral resource.

In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
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?				X

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are all transportation-related and consist of local streets and regional

highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines. A portion of the subject property is located within the boundaries of the Fresno-Chandler Downtown Airport Master Plan area.

Potential noise sources at the subject property would be roadway noise from the major streets abutting the subject property and airport operations noise from the existing Fresno-Chandler Downtown Airport. The condition of zoning below currently exists and will remain as a condition of zoning.

“Recordation of an agreement in favor of the City of Fresno, in a form approved by the City Attorney, stating that it is understood by the owner’s and owner’s successors in interest that the real property in question lies close to Chandler-Fresno Downtown Airport and that the operation of the Airport and the landing and take-off or aircraft may generate high noise levels which will affect the habitability and quiet enjoyment of the property. The owners shall also covenant to accept and acknowledge the operation of the Chandler-Fresno Downtown Airport. The agreement shall run with the land and shall be binding upon the present and subsequent owners of the property.”

In conclusion, the proposed project would not result in any noise environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. 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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The proposed rezone is requesting to reclassify a portion of the subject property from the R-2 zone district to the R-1 zone district, which will reduce the number of dwelling units permitted on the property. Therefore, the impact to population will be less than significant given the reduction in dwelling units.

Future development will occur at an intensity and scale that is permitted by the existing and proposed zone district. Thus, the proposed rezone will not facilitate an additional intensification of uses beyond that which would be allowed.

There are existing residences on the subject property which will remain at this time. The proposed rezone does not have the potential to displace existing housing or residents and will not either directly or indirectly induce substantial population growth in the area.

In conclusion, the proposed project would not result in any population and housing environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Drainage and flood control?			X	
Parks?			X	
Schools?			X	
Other public services?			X	

City police and fire protection services are also available to serve the proposed project. Fire Station No. 3 is located east of the subject property less than 2.5 miles away and Fire Station No. 9 is located north of the subject property less than 1.5 miles away.

All public facilities will be required at the time of development of the subject property. The proposed rezone will have a less than significant impact given that it is only removing several conditions related to a development that will no longer be developed.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any public service impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed rezone will not affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan. In conclusion, the proposed rezone would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections,				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
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?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The subject property is generally bounded by West Whites Bridge (Arterial), South Hughes (Collector), West Church (Collector), and South Marks Avenues (Arterial). West California Avenue (Arterial) and West Kearney Boulevard (scenic collector) run through the subject property.

Kearney Boulevard from its intersection with Fresno Street west to Marks Avenue is designated as a Scenic Collector street by the Fresno General Plan. West of Marks Avenue, Kearney Boulevard is designated as a Scenic Drive. Kearney Boulevard is currently lined with mature trees, which shall remain

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed rezone and has determined a traffic impact study (TIS) is not required at this time. The Public Works Department/Traffic Engineering Division staff would determine if a TIS would be required as development projects were submitted. The applicant will be preparing a master plan for area, which will require further analysis at that time of proposed development.

In conclusion, the proposed project would not result in any transportation/traffic environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
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?				X
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?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Utilities and service systems will be required for future development of the subject property. The proposed rezone is not expected to result in the construction of new storm water drainage facilities or expansion of existing facilities. The rezone request will be reducing the number of dwelling units in the area; therefore there shall be a less than significant impact on utilities and service systems.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any utilities and service system impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

The proposed rezone is considered not to be a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed rezone does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the rezone has no potential to eliminate important examples of major periods in history.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this rezone would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

Exhibit D:
MEIR Mitigation Measure Monitoring Checklist

MEIR Mitigation Measure Monitoring Checklist for EA No. R-14-010

August 14, 2015

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

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

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

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

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p> <p>Verification comments:</p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Development & Resource Management Dept. (DARM)</p>	<p>X</p>				<p>X</p>	

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

<p>AES-5: Materials used on building facades shall be non-reflective.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>				<p>X</p>	

Air Quality:

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

<p>AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Air Quality *(continued)*:

<p>AIR-2 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p>AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>				X		

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

A - Incorporated into Project
B - Mitigated

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

<p>BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>				<p>X</p>	
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<p>BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>					
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

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Biological Resources *(continued):*

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

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

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

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Cultural Resources *(continued):*

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

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

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

Cultural Resources *(continued)*:

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

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Cultural Resources *(continued)*:

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

<p>HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-2: Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p>HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

Hazards and Hazardous Materials *(continued)*:

<p>HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						X
<p>HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection.</p> <p>Verification comments:</p>	<p>Prior to development approvals</p>	<p>DARM</p>						X
<p>HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.</p> <p>Verification comments:</p>	<p>Prior to redevelopment of the current Emergency Operations Center</p>	<p>Fresno Fire Department and Mayor/ City Manager's Office</p>						X

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Hydrology and Water Quality

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

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Hydrology and Water Quality *(continued)*:

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

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

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

<p>HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.</p> <ul style="list-style-type: none"> • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>					X	
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

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Hydrology and Water Quality (continued):

<ul style="list-style-type: none"> HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. <p>Verification comments:</p>	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW					X	

Public Services:

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

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Public Services *(continued)*:

<p>PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks on the police department sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>					X	
<p>PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>					X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Public Services (continued):

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

A - Incorporated into Project
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D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Public Services (continued):

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

<p>USS-1: The City shall develop and implement a wastewater master plan update.</p> <p>Verification comments:</p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>					X	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

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

A - Incorporated into Project
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D - Responsible Agency Contacted

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

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

<p>USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>					X	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

<p>USS-5 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. <p>Verification comments:</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

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

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

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

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

<p>USS-8 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-010

August 14, 2015

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

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

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

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

<p>USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge.</p> <p>Verification comments:</p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>				X		
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Utilities and Service Systems - *Biological Resources:*

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

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

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

<p>USS-11 <i>(continued from previous three pages)</i></p> <p>If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.</p> <p>Verification comments:</p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
<p>USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>				X		

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

<p>USS-12 <i>(continued from previous page)</i></p> <p>action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> • The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

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

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

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

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

<p>USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>				X		
<p>USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>				X		

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C - Mitigation in Process
D - Responsible Agency Contacted

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

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

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

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

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Utilities and Service Systems / Biological Resources (continued):

<p>USS-17 (continued from previous page)</p> <p>FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Recreation / Trails:

<p>USS-18: When FMFCD updates its District Service Plan:</p> <p>Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to final design approval of all elements of the District Services Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>				X		
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Utilities and Service Systems – Recreation / Trails (continued):

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

<p>USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>				X		

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Utilities and Service Systems – Air Quality (continued):

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

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

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Utilities and Service Systems – Adequacy of Water Supply Capacity:

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

Utilities and Service Systems – Adequacy of Landfill Capacity:

<p>USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>					X	

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