

**INITIAL STUDY
FOR:**

FRESNO EL PASEO



prepared for:

O & S HOLDINGS, LLC

Contact:
Sandy Sanchez
Project Manager

prepared by:

**THE PLANNING
CENTER**

Contact:
JoAnn Hadfield
Director,
Environmental Services

JANUARY 2008

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2nd Floor
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O&S-01.0E

JANUARY 2008

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1. *Introduction*

The City of Fresno has received an application for the development of an approximately 238-acre integrated, master-planned project at the northwest gateway to the City of Fresno that would consist of retail, office, hospitality and entertainment uses. The site is in the northwest portion of the City of Fresno, County of Fresno, California.

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, to determine if approval of the discretionary actions requested and subsequent development would have a significant impact on the environment. The analysis is intended to provide the City of Fresno with information to use as the basis for making an environmental determination regarding the appropriate CEQA documentation for the proposed project. An Environmental Impact Report (EIR) must be prepared when the Lead Agency determines that it can be fairly argued, based on substantial evidence, in light of the whole record, that a project may have a significant effect on the environment. A Mitigated Negative Declaration (MND) may be prepared if the Initial Study identifies a potentially significant effect for which the project's proponent, before public release of a proposed Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects. For such an MND, specific mitigation measures should be developed and agreed to before project approval. A Negative Declaration without mitigation measures may be approved where the Initial Study substantiates that the proposed project would not result in any significant impacts upon implementation of regulatory requirements and standard conditions.



Data for this Initial Study were obtained from on-site observations, discussions with the City of Fresno and affected agencies, analyses of adopted plans and policies, review of existing studies, and specialized environmental studies.

As described herein, the City of Fresno, as Lead Agency for the project, finds that the proposed project MAY have a significant effect on the environment, and an EIR is required.

1.1 PROJECT LOCATION

The proposed development area is bounded generally by Herndon Avenue on the north, Bryan Avenue and Bullard Avenue on the east, Carnegie Avenue to the south, and State Route 99 (SR-99) on the west, as shown in Figure 1, *Regional Location*, and Figure 2, *Local Vicinity*. Golden State Boulevard traverses the overall site from north to south, and the Union Pacific Railroad (UPRR) runs adjacent to this major arterial. The approximately 74-acre Phase 1 of the project is bounded by Herndon Avenue to the north, Golden State Boulevard and Veterans Boulevard to the south, and Bryan Avenue to the east.

Figure 3, *Aerial Photograph*, shows the proposed development area and the surrounding area. The project development area is located within the City's Bullard Area Community Plan boundary.

1. Introduction

1.2 ENVIRONMENTAL SETTING

1.2.1 Existing Land Use

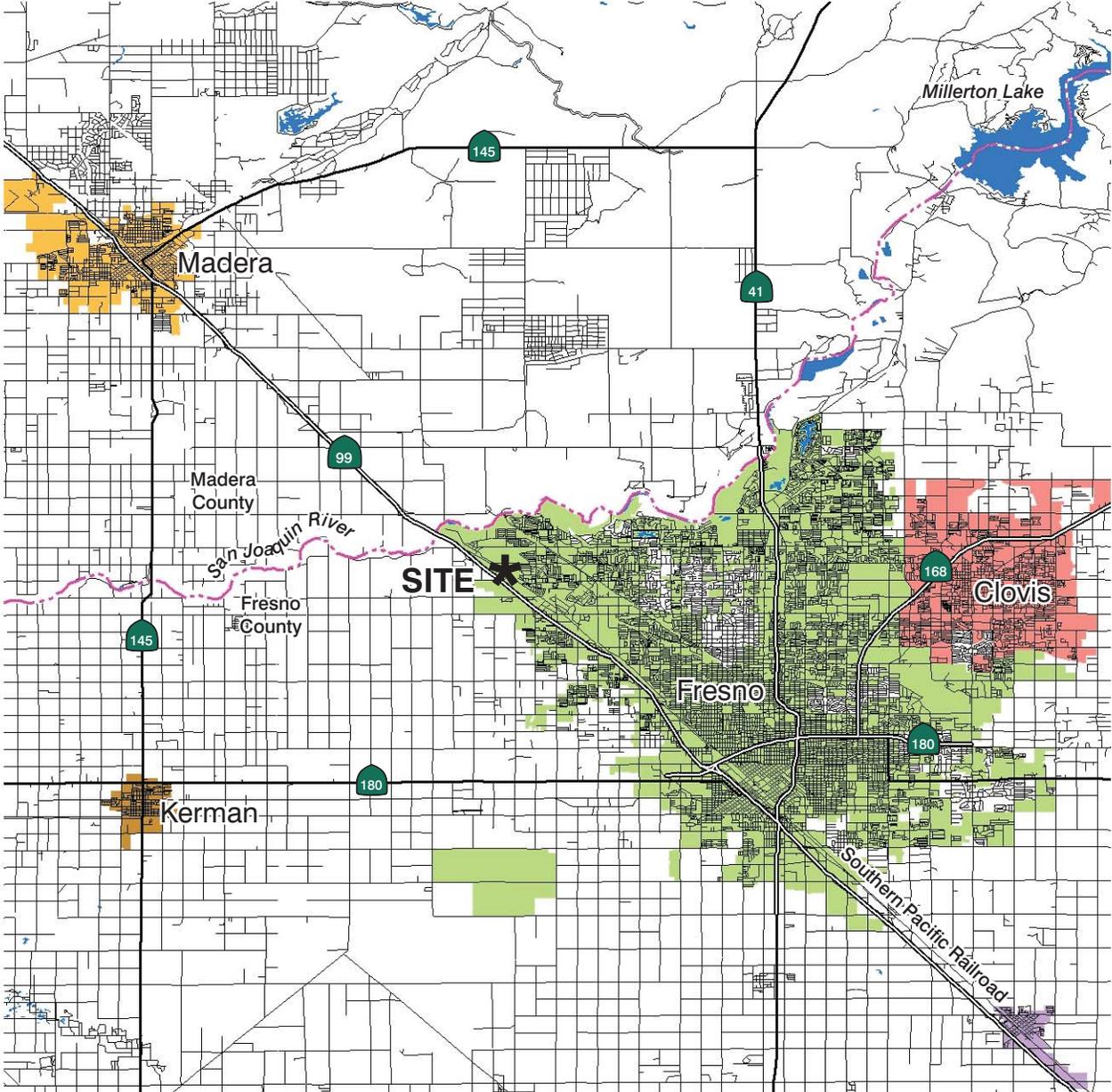
Figure 3, *Aerial Photograph*, shows the proposed development area and the surrounding uses. The proposed development area is currently undeveloped. The portion of the site east of Golden State Boulevard and the rail line consists of former orchards. Currently the majority of this portion of the property is covered with dying fig trees. The balance of the site is covered by ruderal grasses. There are no buildings or structures present on the site.

1.2.2 Surrounding Land Use

The project site is characterized by its relationship to major transportation features. As noted above, Golden State Boulevard and the SPRR traverse the site and the SR-99 borders the site to the west. The site is bordered to the north by Herndon Avenue, which has an at-grade crossing at the railroad and an interchange with SR-99. A future alignment of Veteran's Boulevard and a new SR-99 interchange with this arterial is planned near the southern boundary of the property. Beyond Bryan Avenue, which borders the site to the east, is the Rio-Vista Middle School and the Hampton Renaissance single-family housing development. William Saroyan Elementary School is located within the residential development. An EZ Trip Truck Stop and fueling station is located directly north of the western portion of the development area. A small residential enclave is located near the northwestern portion of the site, at the corner of Herndon Avenue and Weber Avenue.

Various commercial and industrial uses are located between Golden State Boulevard and SR-99, south of the project site, and recently developed residential uses are located west of SR-99. The San Joaquin River, the boundary between the City and the County of Fresno in this area, is approximately 0.4 mile north of the project site.

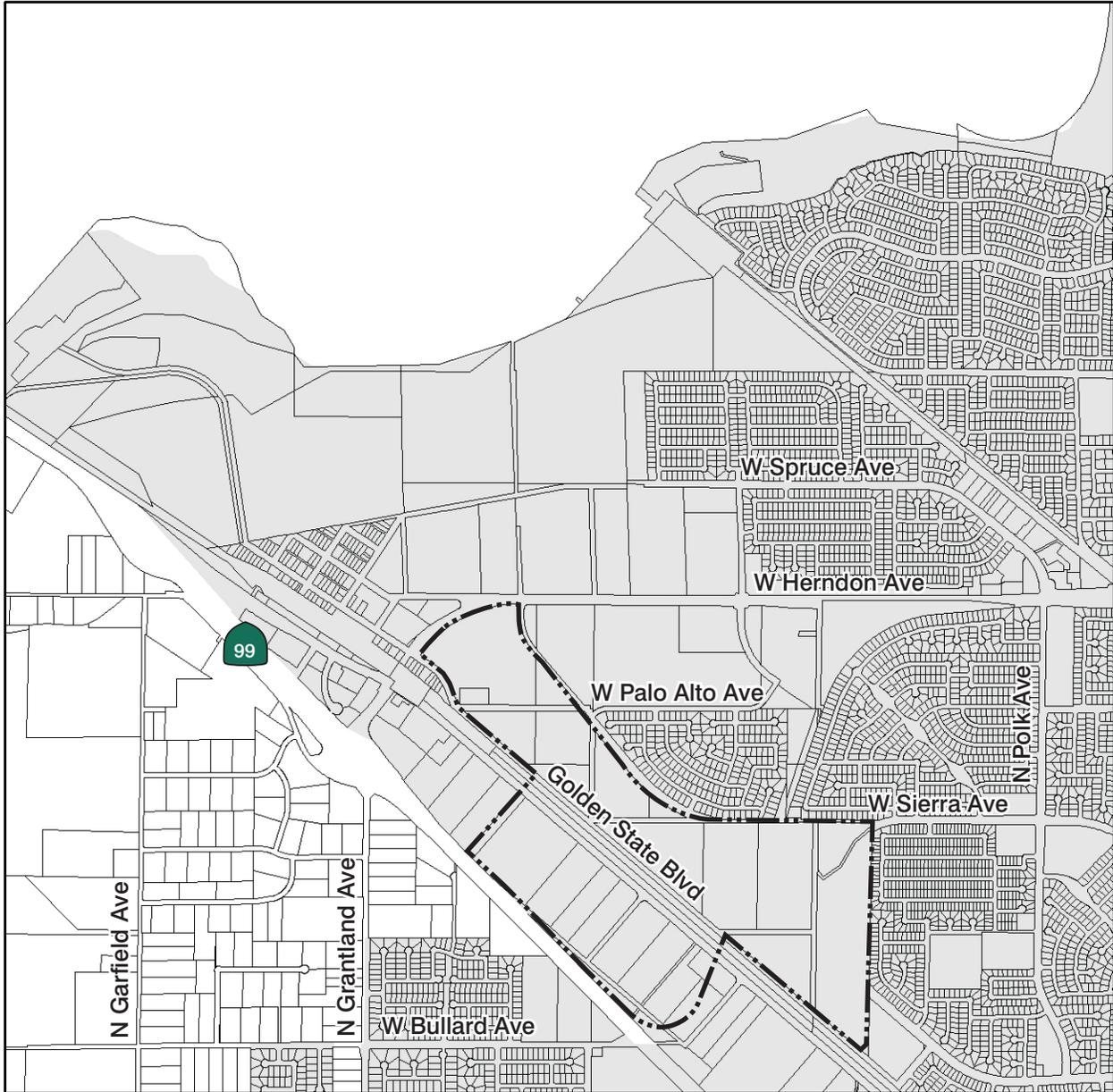
Regional Location



1. Introduction

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Local Vicinity



--- Site Boundary

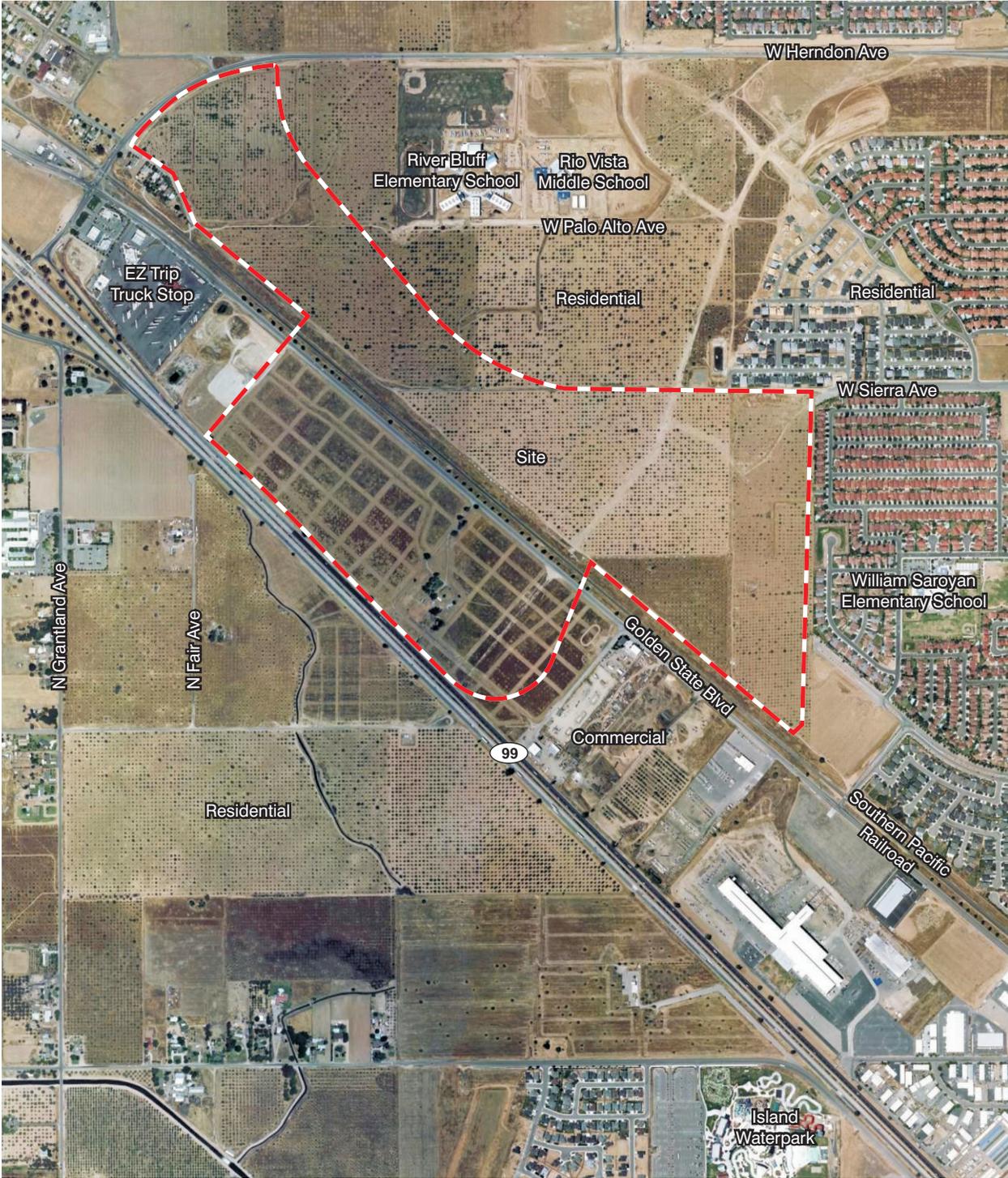
0 2,000
Scale (Feet)



1. Introduction

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Aerial Photograph



--- Site Boundary

0 1,000
Scale (Feet)



Source: Google Earth Pro 2007
Fresno El Paseo Initial Study

1. Introduction

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1.3 PROJECT DESCRIPTION

The applicant proposes to develop an approximately 238-acre project at the northwest gateway of the City of Fresno. The final development would include retail, office, hospitality, and entertainment uses. The integrated, mixed-use project is planned to include:

- A large retail marketplace
- A lifestyle center or town center project
- A mid-rise office park and hotel
- A light industrial business park

It is anticipated that the proposed project would be implemented in five phases. A conceptual plan and phasing for the entire site is shown on Figure 4, *Master Site Plan*. A more detailed plan for the first phase of the project is shown as Figure 5, *Marketplace El Paseo*. Project buildout is anticipated to occur over approximately nine years (2010-2019). The first phase, Marketplace El Paseo, would consist of a “big-box” retail development with approximately 906,788 square feet of retail space including smaller outparcel restaurant and retail uses. Primary access for this project phase is planned off of Bryan Avenue. More specific plans and detailed uses for future phases would be dependent in part upon market conditions. Anticipated building area and uses are summarized in Table 1, *Site Phase Summary*.



Phase	Site Area	Potential Allowable Building Area	Parking Required
1	+/- 74.38 acres	+/- 906,788 SF	3,929 @ 4.5/1000 – retail 10/1000 - restaurant
2A	+/- 27.79 acres	Retail/Rest. +/- 17,000 SF	68 @ 4/1000
		Office +/- 252,000 SF	1,008 @ 4/1000
		Office/Health +/- 68,000 SF	272 @ 4/1000
2B	+/- 72.5 acres	Theater 70,000 SF 2,500 seats	834 @ 1:3 seats
		Retail +/- 616,633 SF	2,775 @ 4.5/1000
		Hotel +/- 90,600 SF	132 @ 1/ Room
		Hotel +/- 62,400 SF	120 @ 1/ Room
3	+/- 45.12 acres	Office +/- 370,000 SF	1,480 @ 4/1000
		Retail/Restaurant +/- 68,500 SF	343 @ 5/1000
4	+/- 8.18 acres	+/- 83,000 SF	374 @ 4.5/1000
5	+/- 10.06 acres	+/- 113,000 SF	452 @ 4/1000
Total	+/- 237.59 acres	+/- 2,717,921 SF	+/- 11,787 stalls

1. Introduction

1.4 EXISTING ZONING AND GENERAL PLAN

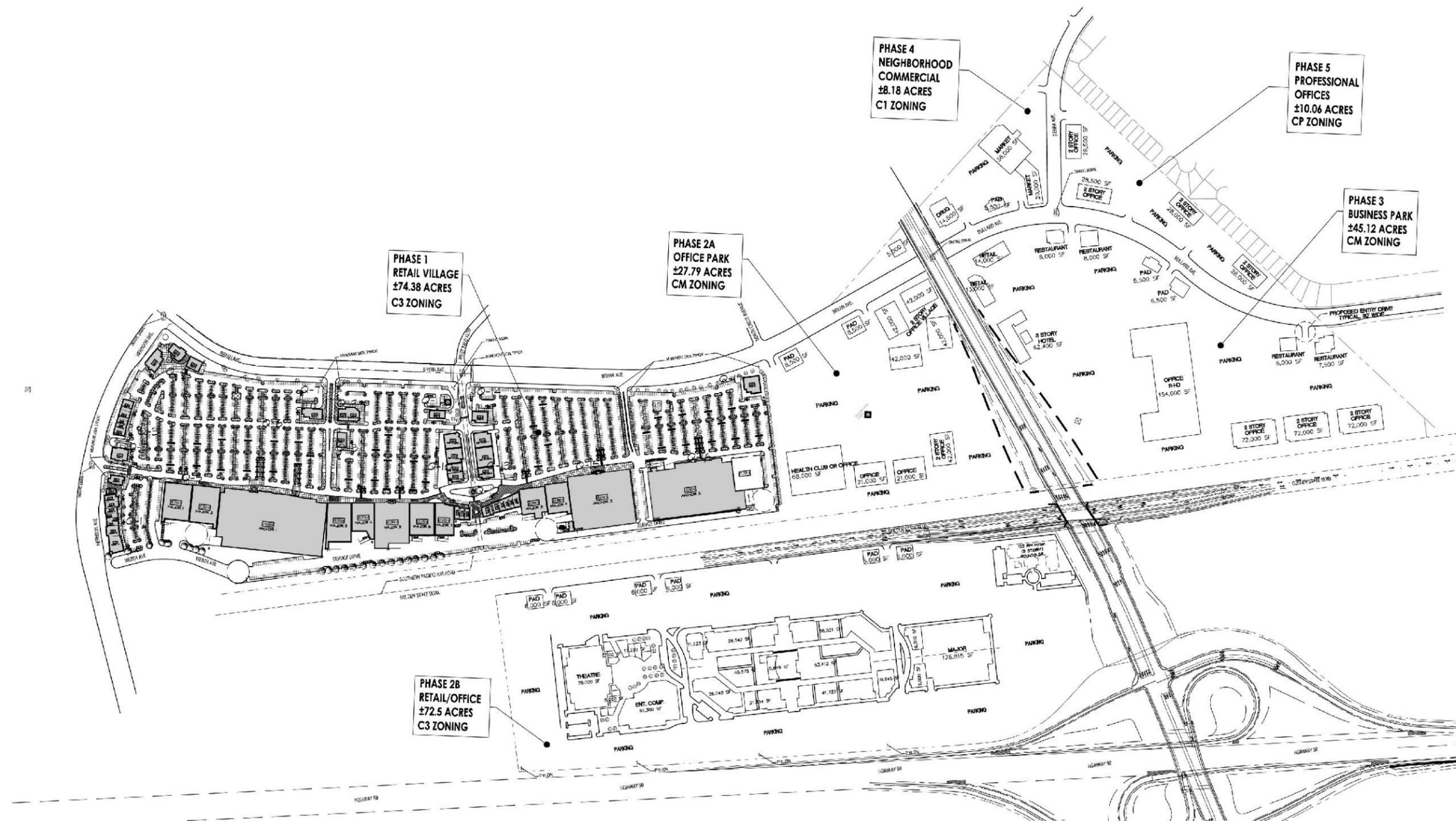
Figures 6 and 7 show the *Existing General Plan Land Use Designations* and *Existing Zoning*, respectively, for the project site. The property is designated as Light/ Industrial and Medium Residential in the City of Fresno 2025 General Plan. The site's existing zoning for the area lying northeast of Golden State Boulevard is AE-5 Agricultural Exclusive, and is Light/Industrial (M-1) southwest of Golden State Boulevard. Figures 8 and 9 show the *Proposed General Plan Land Use Designations* and *Proposed Zoning*, respectively.

1.5 CITY ACTION REQUESTED

The project applicant is requesting approval of the following discretionary actions:

- General Plan Amendment: Change the land use designation from Light/Industrial and Medium Density Residential to Regional Commercial, Light/Industrial, Commercial/Office, and Neighborhood Commercial. GPA also covers the downgrading of Herndon Avenue from an Expressway to a super arterial for the portion of Herndon Avenue between Bryan Avenue and Parkway Drive.
- Zone Change: from AE-5 Agricultural Exclusive and Light/Industrial (M-1) to Neighborhood Commercial (C-1), Regional Shopping Center District (C-3), Commercial Manufacturing (CM), and Commercial/Professional (CP)
- Development Agreement (for entire development area)
- Master Conditional Use Permit (for El Paseo Marketplace only)
- Tentative Tract Map (for El Paseo Marketplace only)
- Conditional Use Permit (for signage related to the development)
- Final Site Plan approval

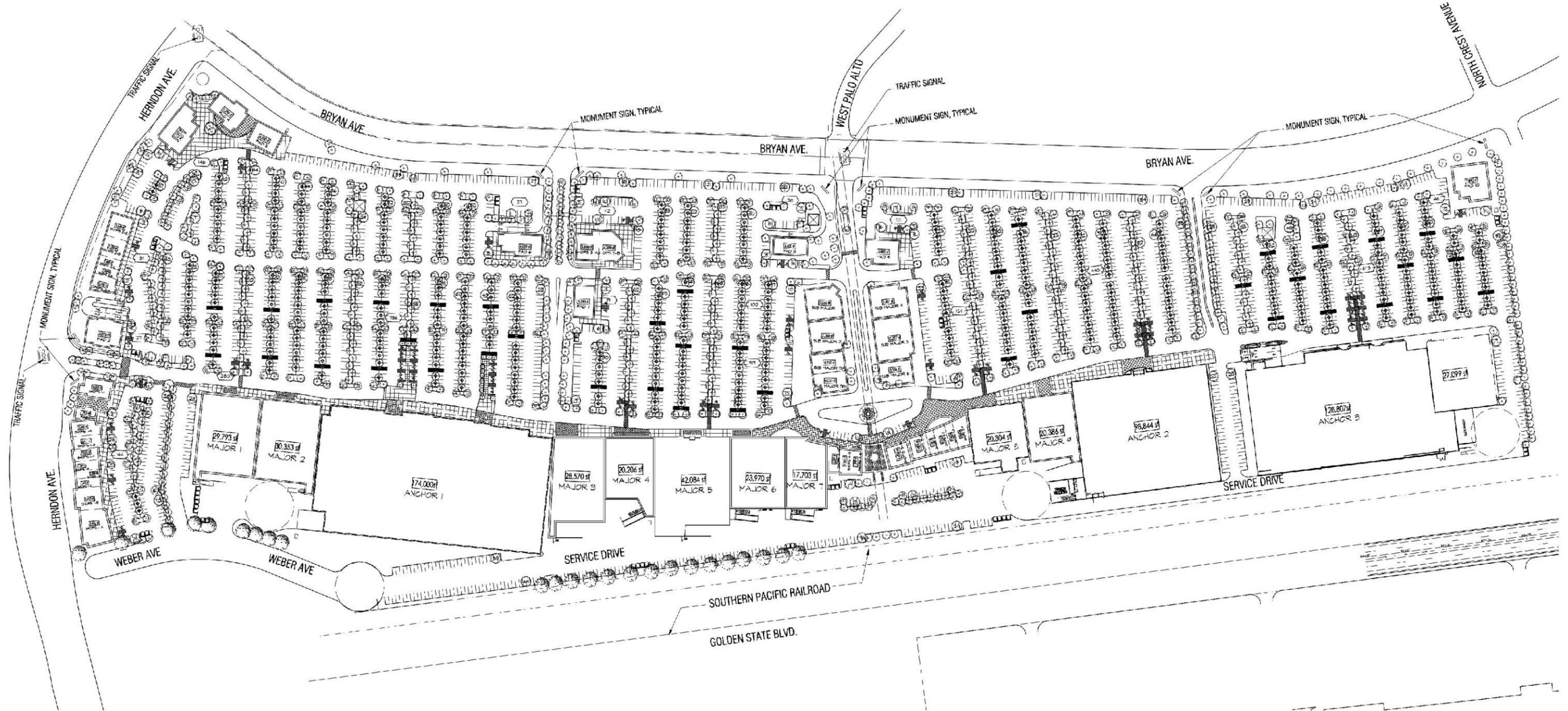
Master Site Plan



1. Introduction

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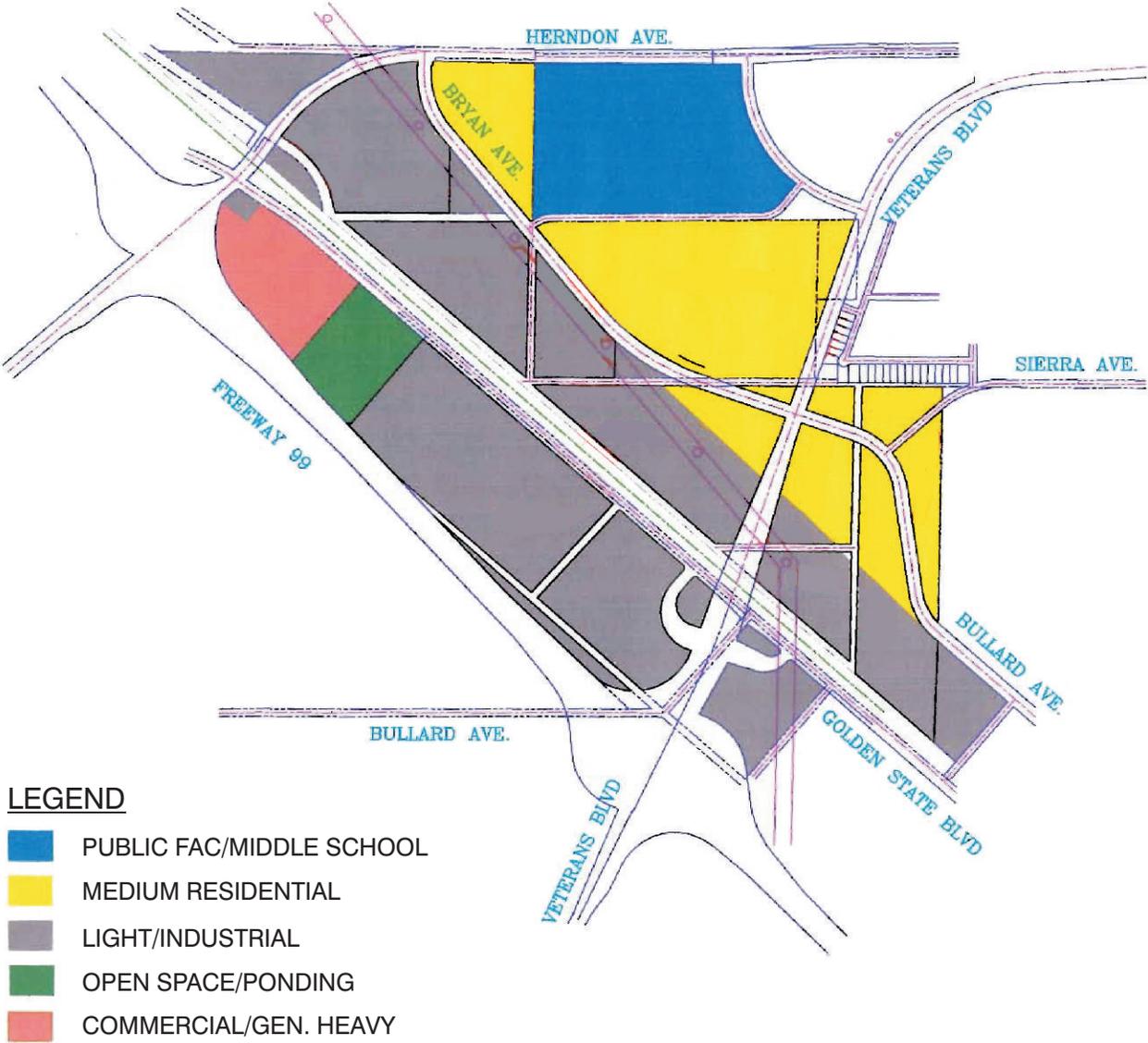
El Paseo Marketplace



1. Introduction

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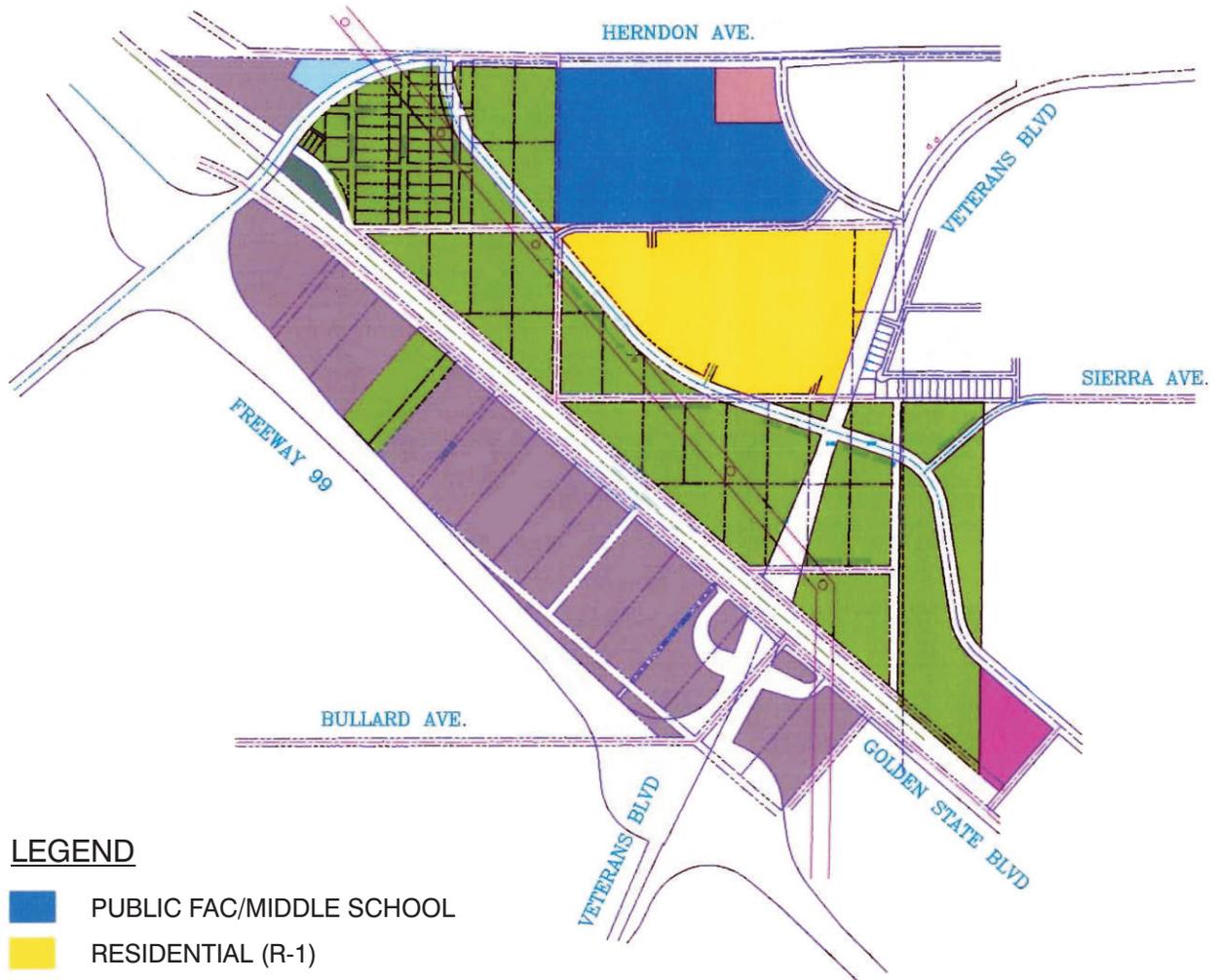
Existing General Plan Land Use Designations



1. Introduction

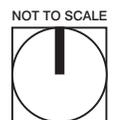
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Existing Zoning



LEGEND

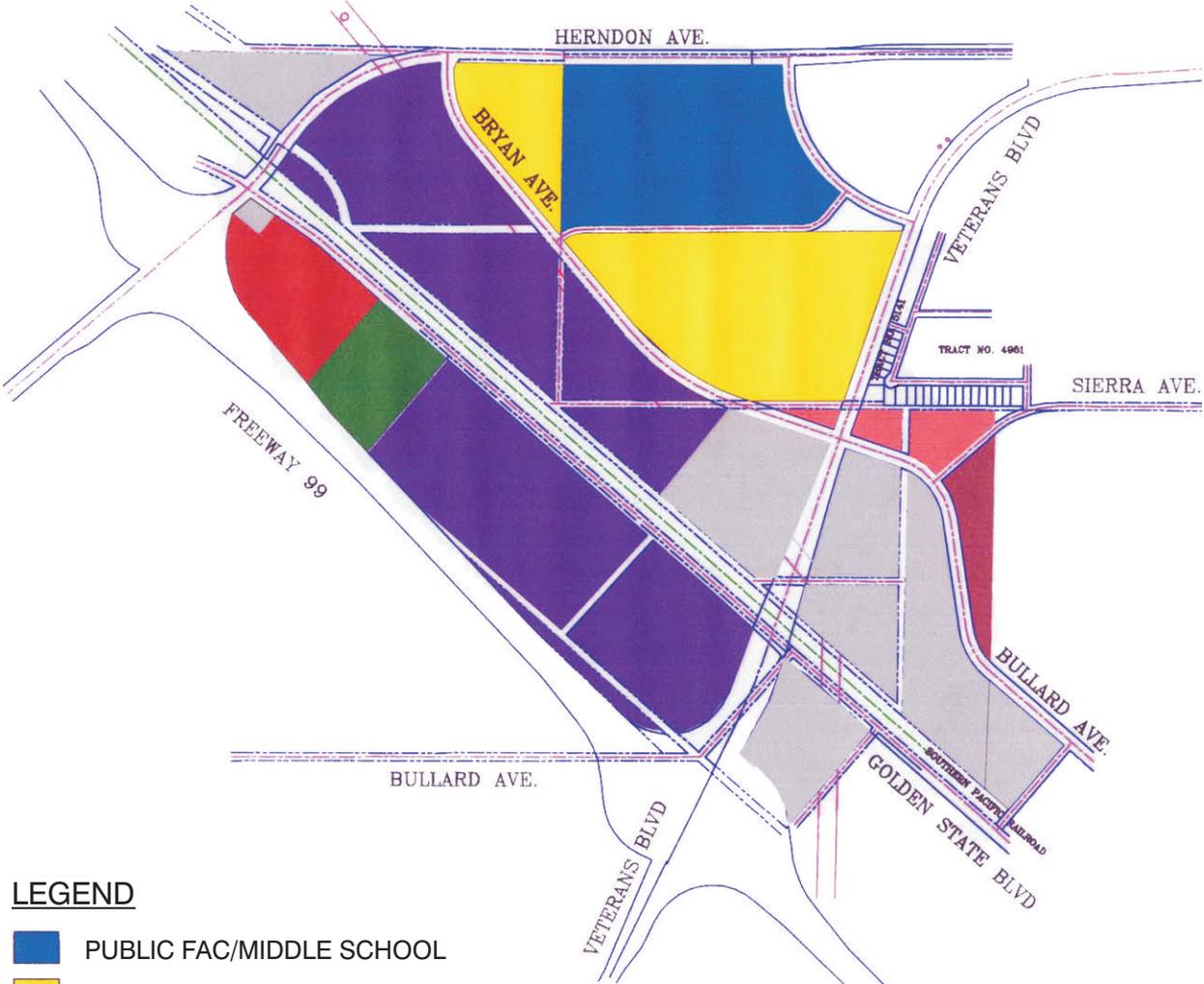
-  PUBLIC FAC/MIDDLE SCHOOL
-  RESIDENTIAL (R-1)
-  RURAL/AGRICULTURE (RA)
-  LIGHT/INDUSTRIAL (M-1)
-  AE 5
-  AE 20
-  COMMERCIAL/MANUFACTURING (CM)
-  COMMERCIAL/PROFESSIONAL (CP)



1. Introduction

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Proposed General Plan Land Use Designations



LEGEND

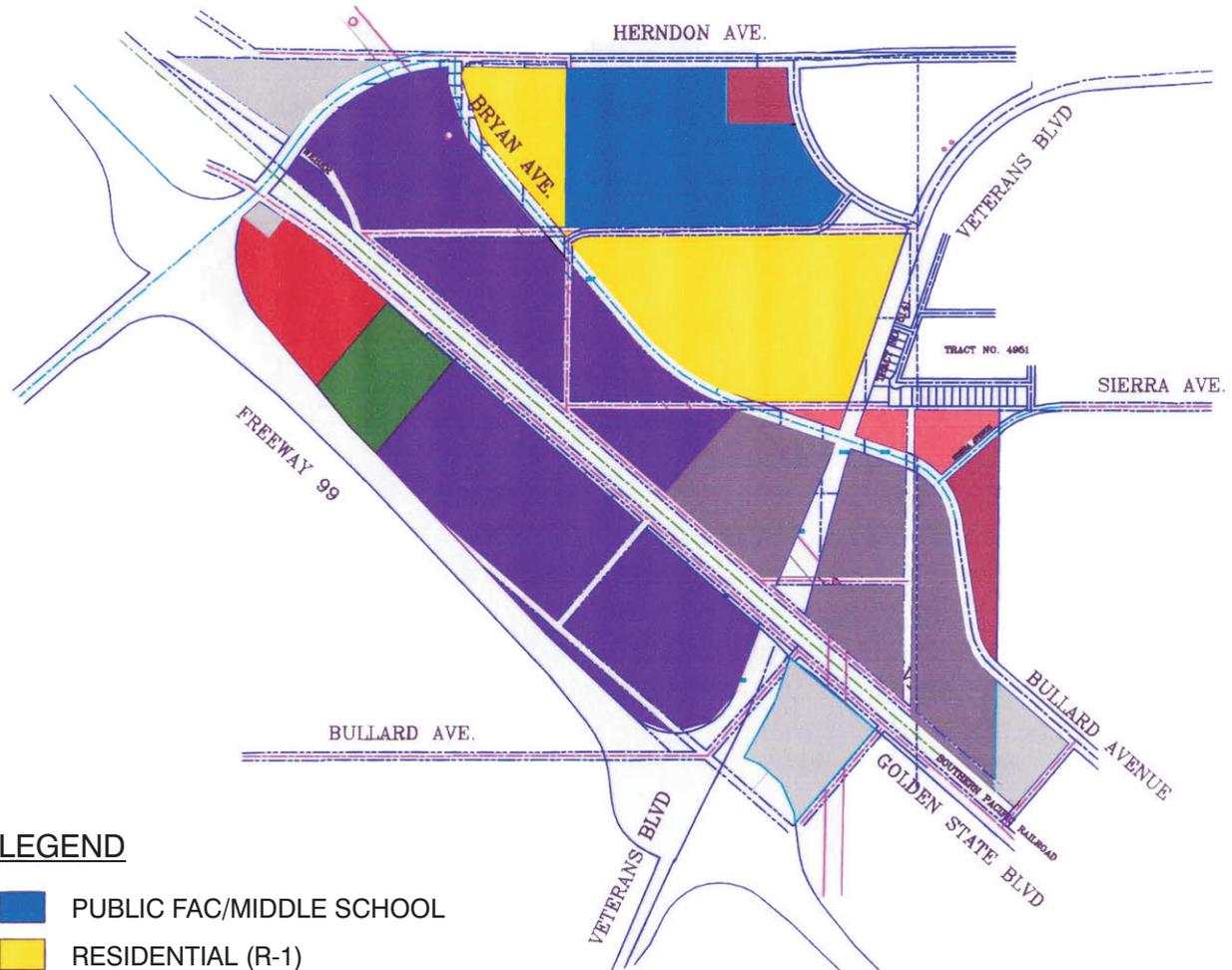
- PUBLIC FAC/MIDDLE SCHOOL
- MEDIUM RESIDENTIAL
- COMMERCIAL/LIGHT INDUSTRIAL, LIGHT INDUSTRIAL
- NEIGHBORHOOD COMMERCIAL
- OPEN SPACE/PONDING
- REGIONAL COMMERCIAL
- COMMERCIAL/PROFESSIONAL (C-P)



1. Introduction

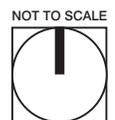
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Proposed Zoning



LEGEND

-  PUBLIC FAC/MIDDLE SCHOOL
-  RESIDENTIAL (R-1)
-  LIGHT/INDUSTRIAL (M-1)
-  COMMERCIAL/MANUFACTURING (C-M)
-  NEIGHBORHOOD COMMERCIAL (C-1)
-  OPEN SPACE/PONDING (AE 20)
-  REGIONAL COMMERCIAL (C-3)
-  COMMERCIAL/PROFESSIONAL (C-P)



1. Introduction

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2. *Environmental Checklist*

2.1 **BACKGROUND**

1. **Project Title:** Fresno El Paseo Environmental Impact Report

2. **Lead Agency Name and Address:**

City of Fresno
2600 Fresno Street
Fresno, CA 93721

3. **Contact Person and Phone Number:**

Mike Sanchez, Planning Manager
559-621-8040

4. **Project Location:** The proposed development area is generally bounded by Herndon Avenue on the north, Bullard Avenue on the south, Bryan Avenue on the east, and Highway 99 on the west. The proposed Veterans Boulevard alignment intersects the property diagonally. Golden State Boulevard dissects the property in a northwest-southeast direction.

5. **Project Sponsor's Name and Address:**

O & S Holdings, LLC
3130 Wilshire Boulevard
2nd Floor
Santa Monica, CA 90403

6. **General Plan Designations:** Light/Industrial and Medium Density Residential

7. **Zoning:** AE-5 Agricultural Exclusive and Light/Industrial (M-1)

8. **Description of Project** (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):

The project would involve retail, office, and hospitality uses, in addition to a theater, developed on an approximately 238-acre site. The project is described in more detail in Section 1.3.

9. **Surrounding Land Uses and Setting** (Briefly describe the project's surroundings):

The project site is surrounded by residential and agricultural uses, a middle school, vacant land, and SR 99. Union Pacific railroad tracks pass through the site, adjacent to Golden State Boulevard.



2. Environmental Checklist

10. Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participation agreement):

- Caltrans – Encroachment permits for construction in any Caltrans right-of-way
- Public Utilities Commission – Encroachment permits for construction in railroad right-of-way
- Central Valley Regional Water Quality Control Board - Submittal of a Notice of Intent for a National Pollution Discharge Elimination System construction permit and preparation of a Storm Water Pollution Prevention Plan, enforced by the Regional Water Quality Control Board.
- San Joaquin Valley Air Quality District – Permit for authority to construct, and permit to operate

2. Environmental Checklist

2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

2.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

For



2. Environmental Checklist

2.4 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) 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.
- 4) “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.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) **Earlier Analyses Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

2. Environmental Checklist

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.



2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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			
II. AGRICULTURE 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:				
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) 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			
III. AIR QUALITY. 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?	X			
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
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	
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			

2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	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
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			
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			
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?	X			



2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X			
b) Create a significant hazard to the public or the environment through reasonable 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	
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

2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
VIII. 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 a 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			
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water 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	
IX. 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



2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a 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
XI. NOISE. Would the project result in:				
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
XII. 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
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIII. PUBLIC SERVICES. 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 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:				
a) Fire protection?	X			
b) Police protection?	X			
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
XIV. RECREATION.				
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	
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	X			
b) Exceed, either individually or cumulatively, a level of service standard 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 results 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) Result in inadequate parking capacity?	X			
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	X			
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?	X			
b) Require or result in the construction of new water or waste water 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			
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 waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X			



2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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	
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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			

3. *Environmental Analysis*

Section 2.3 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

3.1 **AESTHETICS**

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

Less Than Significant Impact. There is a scenic vista of the Sierra Nevada mountains to the east and northeast of the project area during clear conditions; however, due to the distance of the mountains from the project site, the development of the project would not affect the viewshed. Additionally, there are no sensitive viewers to the immediate southwest of the project area. Therefore, no significant impacts would occur as a result of the proposed development. No mitigation measures are necessary, and this issue will not be examined further in the EIR.

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

No Impact. The portion of State Route 99 (SR-99) adjacent to the proposed development area is not designated as a scenic highway by the California Department of Transportation (Caltrans) Scenic Highway Mapping System; therefore, damage to any scenic resources within a state scenic highway area would not occur. No significant impacts would occur as a result of the proposed project. No mitigation measures are necessary, and this issue will not be examined further in the EIR.

c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Potentially Significant Impact. The proposed development area is currently vacant. A large portion of the site is in degraded agricultural use as fig orchards. Existing open space views of the development area would be replaced with a variety of uses, including retail, office, and hospitality uses. The loss of open space views and the development of the proposed project would change the existing aesthetic character of the project site. The EIR for the project will determine the level of significance of potential aesthetic impacts to the development area as well as the visual compatibility of the project with surrounding land uses. If possible, mitigation measures will be identified to reduce potential aesthetic impact to below a level of significance.

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

Potentially Significant Impact. The development area is currently vacant and surrounded by commercial, retail, and residential uses. The proposed project would introduce new sources of light and glare into the project area. There is the potential that light and glare impacts from the proposed project could have adverse impacts on existing land uses within the project area. The EIR for the project will determine the level of significance of potential light and glare impacts on nearby land uses and, if possible, will identify mitigation measures to reduce potential light and glare impacts to below a level of significance.



3. Environmental Analysis

3.2 AGRICULTURE 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.

- 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?**

Potentially Significant Impact. Based on the 2002 California Important Farmland Map, the development area does contain land designated as Unique Farmland and Farmland of Statewide Importance. A Land Evaluation and Site Assessment (LESA) will be prepared to evaluate the project impacts on land classified as important farmland. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if possible.

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

Less Than Significant Impact. The current zoning designations for the proposed development area are AE-5 Agricultural Exclusive; and Light/Industrial (M-1). There are no Williamson Act contracts in effect on the project site (CFMP 2000). While the development area is zoned for agricultural uses, there are no other active agricultural land uses surrounding the site, and the development of active agricultural uses would not be compatible with the existing surrounding land uses. Upon adopting a zone change as part of the proposed project, the project site would not be in conflict with the existing zoning for the site, which allows agricultural uses. Therefore, no significant impacts are anticipated and no mitigation measures are necessary. This issue will not be examined further in the DEIR.

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

Potentially Significant Impact. The proposed project would result in conversion of designated Farmland to nonagricultural uses. As stated above, in 3.2a, the development area contains land designated as Unique Farmland and Farmland of Statewide Importance. Portions of the project site were previously used as fig orchards, and many fig trees remain on-site. The farming operations, however, ceased several years ago. This issue will be analyzed further in the EIR.

3.3 AIR QUALITY

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?**

Potentially Significant Impact. The proposed project would generate short-term construction-related and long-term air emissions that have the potential to affect local and regional air quality. Further evaluation is necessary to determine whether this project will conflict with the adopted San Joaquin Valley Air Quality Management Plan (AQMP). Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if possible.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Impact. The proposed project would generate short-term construction-related and long-term air emissions that have the potential to affect local and regional air quality. Further review in the EIR is necessary to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if possible. Mobile and stationary sources will be quantified.

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)?

Potentially Significant Impact. The proposed project would generate short-term construction-related and long-term air emissions that have the potential to affect local and regional air quality. An air quality analysis will be prepared to quantify criteria pollutant emissions. The EIR will also analyze the potential project impacts on global warming and the project's contribution to greenhouse gas (GHG) emissions. Although there are not currently CEQA Guidelines prescribing the analysis of GHG emissions, recent legislation (Senate Bill 97, August 2007) mandates that guidelines be developed by July 1, 2009. The EIR, therefore, will assess potential global warming impacts, including quantifying carbon dioxide emissions for the proposed project. Mitigation measures that reduce impacts to below a level of significance will be identified, if possible.

d) Expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. The proposed project would generate both short-term construction-related and long-term air emissions that have the potential to affect sensitive receptors such as the residential uses east of the project site. A Health Risk Assessment will be prepared, designed to characterize hazardous air emissions from vehicles and trucks that would access the proposed retail/office park development and to determine the actual or potential health risk to residents living in close proximity to the site. Emission impacts due to additional traffic on the adjacent arterial streets also will be included in the assessment. In addition, sensitive receptors in the adjacent communities, such as schools, day care centers, hospitals, and clinics, will be identified and evaluated. The results of the Health Risk Assessment, including recommended mitigation measures, will be incorporated into the EIR.

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. The proposed project includes the development of commercial uses such as retail, office, and hotel uses, and a theater.

A minimal amount of objectionable odors, such as diesel exhaust from construction equipment and asphalt odors, would be created during the grading and construction of the proposed project. However, construction would occur only at limited locations for short periods of time.

During the operation phase the project would consist of commercial uses, as described above. Land uses that subject a substantial number of people to objectionable odors include dairies, feed lots, wastewater treatment facilities, landfills, petroleum refineries, and chemical manufacturing facilities. The project would not introduce any such land uses to the project site and there are currently no such land uses in the immediate vicinity of the site.

Project-related odor impacts would be less than significant. No additional study is needed, and no mitigation is necessary.



3. Environmental Analysis

3.4 BIOLOGICAL RESOURCES

- 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?**

Potentially Significant Impact. A biological study will be prepared as part of the EIR to evaluate project-related and cumulative biological impacts associated with the implementation of the proposed project. According to the California Natural Diversity Database (CDFG 2007), several threatened or endangered species potentially occur in the project vicinity, including the San Joaquin kit fox, Fresno kangaroo rat, and Valley elderberry long-horned beetle. The biological study will determine whether potential habitat for these species occurs on the site. The EIR will determine the significance of potential biological impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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

Potentially Significant Impact. There is no known riparian habitat or other sensitive community within the project boundary, however a biological field study will be conducted to confirm whether there is any sensitive habitat, including potential riparian habitat. Potential impacts to such communities, if present, will be assessed in the EIR.

- 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?**

Potentially Significant Impact. A biological resources study will be prepared as part of the EIR. The biological study will include a survey of the site for indications of potential jurisdictional wetlands on the site. The EIR will determine the significance of potential impacts to jurisdictional wetlands. Where possible, mitigation measures will be identified to reduce impacts to below a level of significance.

- 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?**

Potentially Significant Impact. A biological study of the site will be prepared as part of the EIR to evaluate project-related and cumulative impacts associated with implementation of the proposed project. The EIR will determine the significance of potential biological impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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

Potentially Significant Impact. The General Plan of Fresno County includes a policy supporting the preservation of significant areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools (County of Fresno 2000). The biological study of the site will include an evaluation of existing vegetation on the site to determine whether any existing vegetation is subject to the General Plan policy. This issue will be discussed further in the EIR. Mitigation measures will be identified where possible to reduce impacts to below a level of significance.

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

No Impact. There are no adopted natural community conservation plans or habitat conservation plans in effect in the project area (CDFG 2007). The City of Fresno General Plan does not identify any habitat conservation plans that are in effect on the project site. Implementation of the project would have no impact on any adopted natural community conservation plan or habitat conservation plan. No further study is required and no mitigation measures are necessary.

3.5 CULTURAL RESOURCES

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

No Impact. Section 10564.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally a resource is considered to be “historically significant,” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.



There are no structures located on the project site, and the site has been previously disturbed with fig tree orchards. According to the County of Fresno’s List of Historic Resources, there are no historic resources located within the proposed project development area. No significant impacts to historic resources are anticipated, no mitigation measures are necessary, and this issue will not be analyzed further in the EIR.

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

Potentially Significant Impact. A cultural resources study will be prepared to evaluate project-related and cumulative cultural resource impacts associated with the implementation of the proposed project. The EIR will determine the significance of potential cultural resource impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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

Potentially Significant Impact. A cultural resources study will be prepared to evaluate project-related and cumulative cultural resource impacts associated with the implementation of the proposed project. The EIR will determine the significance of potential cultural resource impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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

Potentially Significant Impact. The proposed project is not expected to disturb human remains within the development area. However, in the event that human remains are discovered, all ground-disturbing activity shall be immediately halted, and the appropriate actions be taken in consultation with pertinent agencies, including Native American involvement, if necessary. A cultural resources study will be prepared to evaluate project-related and cumulative cultural resource impacts associated with the implementation of the proposed project. The EIR will determine the significance of potential cultural resource impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

3.6 GEOLOGY AND SOILS

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.

No Impact. There are no Alquist-Priolo Earthquake Fault Zones in the Fresno-Clovis Metropolitan Area (CGS 2007; City of Fresno 2002). Implementation of the proposed project would create no hazard arising from rupture of a known earthquake fault. No further analysis is needed and no mitigation measures are necessary.

ii) Strong seismic ground shaking?

Potentially Significant Impact. A geotechnical investigation of the project site will be prepared and will evaluate risks of ground shaking on the project site. The geotechnical investigation will be discussed in the Draft EIR and will contain recommendations for minimizing hazards arising from ground shaking.

iii) Seismic-related ground failure, including liquefaction?

Potentially Significant Impact. Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: (1) shallow groundwater; (2) low-density noncohesive (granular) soils; and (3) high-intensity ground motion. In general, cohesive soils are not considered susceptible to liquefaction. Cohesive soils may be susceptible to liquefaction if they meet all of the following criteria:

- Clay content (defined as percent finer than 0.005 mm) less than 15 percent
- A liquid limit less than 35 percent, and
- An in-situ moisture content greater than 0.9 times the liquid limit

Effects of liquefaction on level ground include settlement, sand boils, and bearing capacity failures below structures. Dynamic settlement of dry sands can occur, as the sand particles tend to settle and condense as a result of a seismic event.

A geotechnical investigation of the project site will be conducted to evaluate conditions within the project site and the feasibility of developing the proposed project. The geotechnical report and the EIR for the

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project will analyze potential geotechnical impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

iv) Landslides?

Less Than Significant Impact. The proposed project site is generally uniform and level, with elevations ranging from approximately 290 feet above mean sea level on the west and north to approximately 305 feet at the southeastern corner (USGS 1978). The Fresno County General Plan does not show the project site as being within a landslide hazard zone (County of Fresno 2000). Due to the lack of significant relief on or adjacent to the site, the potential for earthquake-induced landslides in the future is considered low, and no significant impacts are anticipated. This issue will not be analyzed further in the EIR, and no mitigation measures are required.

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

Potentially Significant Impact. The proposed project would require excavation and grading operations to create building pads and access ways. During construction operations, the exposed soils on the project site could potentially be subject to erosion and sedimentation impacts from wind and water. During periods of rain, the potential for erosion and sedimentation could increase. The EIR for the project will determine the significance of potential erosion impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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?

Potentially Significant Impact. The site is very nearly level, with elevations ranging from approximately 290 to 305 feet above mean sea level. The Fresno County General Plan does not show the project site as being within a landslide hazard zone (County of Fresno 2000). Therefore, hazards arising from on- or off-site landslides are considered to be low. A geotechnical report for the approximately 238-acre project site will be prepared to evaluate conditions within the development area, and to determine the geotechnical feasibility of developing the proposed project. The geotechnical report and the EIR for the project will determine the significance of potential geotechnical impacts and where possible, mitigation measures will be identified to reduce potential impacts to less than significant.

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?

Potentially Significant Impact. The proposed project sites are currently undeveloped. At this time it is unknown what type of surface and subsurface soils are present. Certain types of soils have higher probability for shrinking, swelling, and corrosion of metals and concrete. Without proper remediation, the soils could potentially be unstable for the purposes of the proposed development. A geotechnical report for the approximately 238-acre development area will be prepared for the proposed project to evaluate the soils conditions, and to determine the geotechnical feasibility of developing the proposed project. The geotechnical report and the EIR for the project will determine the significance of potential geotechnical impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.



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

No Impact. Development of the proposed project would not require the installation of a septic tank or alternative wastewater disposal system. The project would incorporate the use of City sewer lines and wastewater disposal systems. Therefore, no impact would result from project implementation and this issue will not be analyzed further in the EIR.

3.7 HAZARDS AND HAZARDOUS MATERIALS

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

Potentially Significant Impact. The general environmental conditions of the site and surrounding sites for possible usage, past or present, of potentially hazardous materials need to be examined to determine if the proposed project could create a hazard to the public or the environment. Therefore, further evaluation in the EIR is necessary.

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

Potentially Significant Impact. The general environmental conditions of the site and surrounding sites for possible usage, past or present, of potentially hazardous materials need to be examined to determine if the proposed project could create a hazard to the public or the environment. Therefore, further evaluation in the EIR is necessary.

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

Potentially Significant Impact. There are three schools within 0.25 mile of the project site: Rio Vista Middle School, at 6240 West Palo Alto Avenue in Fresno, near the northeastern boundary of the project site; River Bluff Elementary School, at 6150 West Palo Alto Avenue, immediately to the east of Rio Vista Middle School; and Herndon-Barstow Elementary School, at 6265 North Grantland Avenue in Fresno, approximately 0.25 mile southwest of the project site (Central USD 2007). Potential hazardous emissions and hazardous materials impacts of the proposed project will be analyzed further in the EIR.

- 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?**

Potentially Significant Impact. The general environmental conditions of the site and surrounding sites for possible usage, past or present, of potentially hazardous materials need to be examined to determine if the proposed project could create a hazard to the public or the environment. Therefore, further evaluation in the EIR is necessary.

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

Less Than Significant Impact. The proposed development area is located approximately 9.4 miles northeast of the Fresno Yosemite International Airport. The project site is not situated within a Community Noise Equivalent Level (CNEL) contour or Approach Safety Zone and the project site is not subject to Federal Aviation Regulations (FAR) Part 77 height limits pertaining to the Airport (FYIA 1997). Approximately 11 acres of the site near the intersection of West Sierra Avenue and North Vista Avenue are within the Secondary Review Area Boundary as defined in the Land Use Policy Plan (LUPP) for Sierra Sky Park Airport (City of Fresno 1998). Sierra Sky Park Airport is a privately owned, public-use facility (City of Fresno 1998) approximately 1.7 miles northeast of the east end of the project site. The LUPP for Sierra Sky Park Airport states that in the Secondary Review Area “only those projects involving a structure or other object the height of which would exceed that permitted in FAR Part 77, or those that create dust, smoke, steam, glare, etc., or attract birds need to be referred to the Commission for review.” The project consists of commercial uses including retail, office, and hotel uses, and a theater. The project is not anticipated to create dust, smoke, or steam, or to attract birds, so as to interfere with or create a hazard for aircraft flying to or from the airport. Therefore, project-related hazard impacts arising from Sierra Sky Park Airport would be less than significant. No further analysis is required and no mitigation is necessary.

- 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?**

No Impact. There are no private airstrips in the vicinity of the project area. Therefore, development of the proposed project would not cause a safety hazard, and this issue will not be examined further in the EIR.



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

Potentially Significant Impact. The Fresno Fire Department will be consulted regarding emergency evacuation plans in the project area during preparation of the Draft EIR.

- 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?**

No Impact. There are no wildlands within the vicinity of the project site. The site and adjacent areas consist of agricultural and residential uses, roads and railroad tracks, and vacant land. No risk of wildland fires resulting from development of the proposed project would occur. No additional study is necessary and no mitigation is required.

3.8 HYDROLOGY AND WATER QUALITY

- a) **Violate any water quality standards or waste discharge requirements?**

Potentially Significant Impact. Pursuant to the Clean Water Act, the US Environmental Protection Agency (EPA) established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. Pollutants

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can also be introduced through operation of the project, such as through the use of fertilizers and pesticides, and the accumulation of oil or other automotive fluids on parking and drive aisle surfaces. Various devices such as inlet inserts (catch basin inserts) and Fossil Filters or their equivalent can be used in the storm drains to decrease the level of pollutants, debris, and sediment discharged into storm drain facilities. The Draft EIR will evaluate the proposed project's effect on water quality standards and water discharge requirements. Mitigation measures will be recommended as appropriate.

- 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)?**

Potentially Significant Impact. The project would convert most of the approximately 238-acre project site to impervious surfaces such as buildings and roads. Therefore, development of the project could potentially affect groundwater recharge. The City of Fresno obtains water from two sources: surface water and groundwater. Surface water is delivered to the City from Millerton Lake on the San Joaquin River, and Pine Flat Reservoir on the Kings River, both located to the east of Fresno. The City obtains groundwater from the Fresno Sole Source Aquifer, which underlies most of Fresno County, and from portions of Tulare and Mariposa Counties (FWD 2007; USEPA 2002). The EIR will analyze impacts that the project would have on groundwater supplies in and recharge into the Fresno Sole Source Aquifer.

- 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 a substantial erosion or siltation on- or off-site.**

Potentially Significant Impact. The proposed project would involve the development of the approximately 238-acre, vacant parcel. The proposed project may result in the alteration of the existing drainage pattern of the area. The EIR will evaluate these impacts, and mitigation measures will be recommended as appropriate.

- 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?**

Potentially Significant Impact. The urbanization of the currently undeveloped project site would result in an increase in stormwater runoff. The EIR will evaluate the rate or amount of surface runoff, which could result in flooding. Mitigation measures will be recommended as appropriate.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

Potentially Significant Impact. Development of the proposed project would cause an increase in stormwater runoff and would have a potential to increase the flow of polluted runoff from the project site. Impacts to stormwater runoff and to drainage systems will be analyzed in the DEIR. Where possible, mitigation measures will be recommended that would reduce impacts to below a level of significance.

- f) Otherwise substantially degrade water quality?**

Potentially Significant Impact. The proposed project would introduce new urban uses that could contribute new pollutants into surface water. Disturbance of historical agricultural uses could also potentially introduce

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contaminants, such as pesticides and herbicides. Project impacts on water quality will be analyzed in the Draft EIR.

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?

Less Than Significant Impact. According to Flood Map (06019C1535G [9/30/05]), released by the Federal Emergency Management Agency, the development site is located in Zone X. Zone X is defined as “Areas of 0.2% annual chance of flood; areas of 1% annual chance of flood with average depths of less than 1 foot or with drainage areas less than one square mile; and areas protected by levees from 1% annual chance flood.” Therefore, the proposed development area is not located in a 100-year flood hazard area, and this issue will not be analyzed further in the EIR.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. As mentioned above, in Section 3.8g, the proposed development area is located in Zone X, outside the 100-year floodplain. Therefore, the proposed project would not place structures in a 100-year flood hazard area. This issue will not be analyzed further in the EIR.

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?

Less Than Significant Impact. The project site is located within the dam failure flood inundation area of Friant Dam (County of Fresno 2000), which is located on the San Joaquin River approximately 17 miles northeast of the site. Friant Dam was constructed of concrete and completed in 1942; the dam is operated by the US Bureau of Reclamation (USBR 2007). The USBR has an ongoing Safety of Dams Program that includes inspections of the dam after earthquakes in the region, and seismic monitoring equipment that continuously measures the dam to detect any movement in the structure (Salazar 2007). The inspections and monitoring conducted by the Safety of Dams Program would reduce the risk of inundation to the project arising from dam failure to a less than significant impact. No further study is needed, and no mitigation is required.



j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam or other artificial body of water. There are no large water tanks or other bodies of water in the vicinity of the project site that would pose a risk of flooding to the project due to a seiche. The project site is within the dam inundation area for Friant Dam. The USBR’s ongoing Safety of Dams Program would reduce risk of inundation to the site due to a seiche in Millerton Lake, which is impounded behind Friant Dam, to less than significant.

A tsunami is a series of ocean waves caused by a sudden displacement of the ocean floor, most often due to earthquakes. The project site is approximately 108 miles inland from the Pacific Ocean; therefore, there is no risk of inundation to the site due to tsunamis.

A mudflow is a type of landslide composed of saturated rock debris and soil with a consistency of wet cement, which moves rapidly downslope. The site and site surroundings are very nearly flat; therefore, the risk of inundation due to mudflow is considered to be very low.

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Risks of inundation to the project arising from seiche, tsunami, or mudflow would be a less than significant impact. No additional analysis is necessary, and no mitigation is needed.

3.9 LAND USE AND PLANNING

a) Physically divide an established community?

No Impact. The project site abuts both sides of SR-99, a major regional arterial. The area is historically a mix of light industrial and agricultural uses and is currently designated in the City's General Plan for commercial/manufacturing uses. Residential land uses on both sides of the project site are designed with a substantial setback from the freeway. Development of the project site as proposed would not divide an established community and would be in keeping with the overall land uses planned for the project area. No further study is necessary and no mitigation is required.

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?

Potentially Significant Impact. The proposed project would change the General Plan land use designation of the development area from Light/Industrial and Medium Density Residential to Commercial Manufacturing, Commercial/Office, and Neighborhood Commercial. Impacts of the proposed project on land use plans will be analyzed in the Draft EIR. Additionally, the project's compliance with the goals and policies of the 1988 Bullard Community Plan will be analyzed. Where possible, mitigation measures will be identified that would reduce impacts to below a level of significance.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. There are no Habitat Conservation Plans or Natural Community Conservation Plans in effect in the project area (CDFG 2007). Development of the proposed project would not conflict with any such plan and no additional study is needed. No mitigation is necessary.

3.10 MINERAL RESOURCES

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

No Impact. The proposed development area is located in an area of the city designated as Mineral Resource Zone 3 (MRZ-3), defined as an area of undetermined mineral resources (County of Fresno 2000). The loss of availability of mineral resources in zone MRZ-3 is not considered to be a significant impact (Miller 2007).

No mineral resources that would be of value to the region or the residents of the state have been identified on the project site or within the immediate project vicinity. No mitigation measures are necessary and this issue will not be examined further in the EIR.

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

No Impact. No mineral resource recovery sites within the project development area or within the development area's immediate vicinity have been delineated in the County of Fresno General Plan (2000).

No significant impacts would occur as a result of the proposed project. No mitigation measures are necessary and this issue will not be examined further in the EIR.

3.11 NOISE

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?

Potentially Significant Impact. The activities associated with the implementation of the proposed project have the potential to substantially increase the ambient noise levels near existing sensitive receptors, and expose future sensitive receptors (i.e., nearby residents) to adverse noise levels from adjacent major roadways. The EIR will evaluate the existing noise conditions on-site and predict future noise conditions with and without the project. The EIR will also identify applicable noise standards and provide mitigation measures to reduce impacts.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. The proposed project would result in the development of commercial uses on an approximately 238-acre site, which may result in a temporary construction-related or long-term operational increase in groundborne vibration or noise levels. A noise analysis will be conducted and issues relating to noise will be further reviewed in the Draft EIR. Mitigation measures will be recommended as appropriate.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. The proposed project would result in the development of commercial uses on an approximately 238-acre site, which may result in a permanent increase in noise levels arising from project operation. A noise analysis will be conducted and issues relating to noise will be further reviewed in the Draft EIR. Mitigation measures will be recommended as appropriate.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. The proposed project would result in the development of commercial uses on an approximately 238-acre site, which may result in a temporary construction-related increase in noise levels. A noise analysis will be conducted and issues relating to noise will be further reviewed in the Draft EIR. Mitigation measures will be recommended as appropriate.

e) For a project located within an airport land use plan (Fresno Yosemite International Airport or Fresno Chandler Downtown Airport) or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less Than Significant Impact. Sierra Sky Park Airport is located approximately 1.7 miles northeast of the east boundary of the project site. The project site is not in the vicinity of an approach or departure path to or from the airport. The project site is not in the vicinity of the airport's 60-decibel Community CNEL contour. Approximately 11 acres of the project site are within the Secondary Review Area of the LUPP for the airport. The LUPP does not place any noise-related restrictions on land use or land purchases within the Secondary



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Review Area (City of Fresno 1998). Noise in the project area arising from airport or aircraft operations would be a less than significant impact. No further study is required and no mitigation is needed.

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?

No Impact. There are no private airstrips within a two-mile radius of the proposed development area. The development area is not located within the influence area of a private airstrip or runway. Therefore, no impacts would occur from airport noise as a result of the proposed project, and no mitigation measures are necessary. This issue will not be analyzed further in the EIR.

3.12 POPULATION AND HOUSING

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)?

Potentially Significant Impact. The proposed project would involve the implementation of an approximately 238-acre project consisting of commercial uses, and thus may indirectly induce population growth in the area. This issue will be evaluated in the EIR. Mitigation measures will be recommended as appropriate.

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

No Impact. The proposed project involves the development of commercial and retail uses on an approximately 238-acre site. The project would not require the displacement of any existing housing or the construction of replacement housing. No significant impacts would occur as a result of the proposed development. No mitigation measures are necessary and this issue will not be evaluated further in the EIR.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. As mentioned above, the project proposes the development of commercial and retail uses on an approximately 238-acre site. The project would not require the displacement of substantial numbers of people, or necessitate the construction of replacement housing. No significant impacts would occur as a result of the proposed development. No mitigation measures are necessary and this issue will not be evaluated further in the EIR.

3.13 PUBLIC SERVICES

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 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:

a) Fire protection?

Potentially Significant Impact. Implementation of the proposed project would increase the demand for fire protection services. The Fresno Fire Department (FFD) would provide fire protection service to the project. There are two existing FFD stations in the vicinity of the project site. Station 14 is located at 6239 North Polk

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Avenue at the intersection of Polk Avenue with West Escalon Avenue, approximately 1,600 feet east of the project site. Station 14 is equipped with one fire engine with a crew of three, one ladder truck with a crew of two, and one hazmat vehicle with a crew of one. Station 18 is located at 5938 North La Ventana at the intersection of La Ventana and West Bullard Avenue. Station 18 is equipped with one fire engine with a crew of three (City of Fresno 2006; City of Fresno 2007). The City of Fresno charges Fire Impact Fees to new developments. The Fresno Fire Department will be consulted to help gauge anticipated project impacts on fire protection service. Project impacts on fire protection will be discussed further in the EIR.

b) Police protection?

Potentially Significant Impact. The Fresno Police Department (FPD) would provide police protection to the project. The nearest FPD station to the project site is the Northwest Station located at 3789 North Hughes Avenue, approximately 4.4 miles southeast of the site. The project site is situated in FPD's Northwest Policing Division. The project would add up to 2,717,921 square feet of a mix of commercial uses within the police department's service area and would thus increase demand for police services. Consultation with the FPD will determine the estimated level and type of demand associated with the proposed project, determine the type and significance of impacts to existing and planned level of service, and identify mitigation measures to avoid or reduce potentially significant impacts to less than significant levels.

c) Schools?

Less Than Significant Impact. The Central Unified School District (District) provides public school services to the project area. The project would involve the development of commercial uses on an approximately 238-acre site. The project would not include the development of residential uses. Therefore, the project would not add population within the Central Unified School District's boundaries and would not increase the number of students within the District.

The need for additional school services is addressed by compliance with school impact assessment fees per Senate Bill (SB) 50. These fees are collected by school districts at the time of issuance of building permits for commercial, industrial, and residential projects. This funding program has been found by the State Legislature to constitute "full and complete mitigation of the impacts" on the provision of adequate school facilities. (Government Code Section 65995[h]). After payment of school facilities fees required by SB 50, project impacts on schools would be less than significant. No additional study is necessary and no mitigation is required.

d) Parks?

Less Than Significant Impact. The City of Fresno Parks, Recreation, and Community Services Department provides park and recreation services within the City. The Department operates three recreation facilities within one mile of the project site, which are described in Table 2.



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**Table 2
Public Recreation Facilities within One Mile of Project Site**

Facility	Location	Acres	Amenities
Stallion Park	6245 North Polk Avenue, approx. 0.3 mile east of site	5.65	<ul style="list-style-type: none"> • 1 baseball/softball field • 1 football/soccer field • 1 basketball court • Playground • Picnic tables and barbecues • Restrooms
Riverside Municipal Golf Course	7672 North Josephine Avenue, approx. 0.4 mile north of site	93.5	<ul style="list-style-type: none"> • Golf course (18 holes) • Coffee Shop • Restrooms
Highway City Neighborhood Center	5140 North State Street, approx. 1.1 mile southeast of site	0.5	<ul style="list-style-type: none"> • 1 basketball court • Playground • Picnic tables and barbecues • Restrooms • Community Center/Kitchen/Social Hall

Source: City of Fresno 2007d

The project would involve the development of up to 2,717,921 square feet with commercial uses, such as retail, office, hotel, and a theater. The project would not include residential uses. The project would not directly increase population within the City of Fresno. Therefore, the project is not expected to lead to a substantial increase in usage of parks within the City. The project is not anticipated to require the construction of new parks or the expansion of existing park facilities. Project impacts would be less than significant. No additional analysis is needed and no mitigation is required.

e) Other public facilities

Less Than Significant Impact. The project would involve the development of commercial uses on an approximately 238-acre site. The project would not include residential uses and would not increase the population of the project area. Therefore, the project is not expected to result in an increase in the use of libraries or other public facilities in the City. The Fresno County Public Library provides public library services to Fresno County, including the project area. The nearest library facility to the project site is the Fig Garden Regional Library located at 3071 West Bullard Avenue in Fresno, approximately 2.9 miles east of the project site. Project impacts to libraries and other public facilities are expected to be less than significant. No further study is needed and no mitigation is required.

3.14 RECREATION

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?

Less Than Significant Impact. The project would involve the development of an approximately 238-acre site with commercial uses including retail, office, hotel, and a theater. The project would not include residential use and would not generate future residents that would require additional recreational facilities. Therefore, the project is not expected to lead to a substantial increase in usage of parks within the City. The project is

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not anticipated to require the construction of new parks or the expansion of existing park facilities. Project impacts would be less than significant. No additional analysis is needed and no mitigation is required.

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?

Less Than Significant Impact. The project does not include any recreational facilities. The project does not include residential use and would not increase the population of the project area. Consequently, the project is not expected to cause increased use of park facilities in the project area. The project would not require the construction or expansion of park facilities. Project-related impacts on recreational facilities would be less than significant. No further analysis is required and no mitigation is necessary.

3.15 TRANSPORTATION/TRAFFIC

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Potentially Significant Impact. Implementation of the proposed project would increase vehicle trips within the project area. At this time, it is unknown if the increased vehicle trips would result in significant impacts to project area intersections, roadway segments, and freeway on/off ramps. A traffic study will be prepared as part of the EIR to evaluate project-related and cumulative traffic impacts associated with the project. The traffic study will analyze traffic impacts at the following intersections:

- Herndon/Parkway
- Herndon/SB SR 99 off-ramp to Grantland
- Herndon/NB SR 99 off-ramp
- Herndon/Golden State
- Herndon/Weber
- Herndon/Bryan
- Herndon/Hayes
- Herndon/Veterans (proposed)
- Herndon/Polk/ Spruce
- Herndon/Milburn
- Herndon/Blythe
- Herndon/Brawley
- Hayes/Palo Alto
- Bryan/Palo Alto
- Polk/Sierra
- Bullard/Sierra (proposed)
- Veterans/Bryan-Bullard Diagonal (proposed)
- Veterans/Golden State (proposed)
- Veterans/Hayes (proposed)
- Veterans/Barstow-Bryan Diagonal (proposed)
- Golden State/Carnegie
- Carnegie/Bullard
- Golden State/Shaw
- Shaw/SR 99 SB off-ramp
- Shaw/SR 99 NB off-ramp
- Bullard/Dante



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- Grantland/Barstow
- Grantland/Parkway
- Grantland/Bullard
- SR 99 NB off-ramp/Veterans (proposed)
- SR 99 SB off-ramp/Veterans (proposed)
- Marks/Herndon
- Palm/Herndon
- Blackstone/Herndon
- Palm/Bullard
- Marks/Shaw
- West/Shaw
- SR 99 SB ramps/Ashlan
- SR 99 NB ramps/Ashlan

The EIR will determine the significance of potential traffic impacts and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

Potentially Significant Impact. As mentioned above, implementation of the proposed project would increase vehicle trips within the project area. At this time, it is unknown if the increased vehicle trips would result in significant impacts to any congestion management agency designated roads or highways. The traffic study prepared in support of the EIR will evaluate the potential impacts on congestion management plan-designated facilities. and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less Than Significant Impact. The proposed project would not result in a change to air traffic patterns. The Federal Aviation Administration, through FAR Part 77, defines the standards for determining obstructions to air navigation. An object constitutes an obstruction to navigation if it is more than 200 feet above ground level and within three miles of an airport (Caltrans 2006). Approximately 11 acres of the site near the intersection of West Sierra Avenue and North Vista Avenue are within the Secondary Review Area Boundary as defined in the LUPP for Sierra Sky Park Airport (City of Fresno 1998). Sierra Sky Park Airport is located approximately 1.7 miles northeast of the east end of the project site. The LUPP for Sierra Sky Park Airport states that in the Secondary Review Area “only those projects involving a structure or other object the height of which would exceed that permitted in FAR Part 77... need to be referred to the Commission for review.” Since the proposed project would not involve the development of structures over 200 feet in height, Commission review would not be necessary. Therefore, project-related impacts arising from Sierra Sky Park Airport would be less than significant. No further analysis is required and no mitigation is necessary.

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

Potentially Significant Impact. Further evaluation is required to determine whether the future development of the proposed project could result in hazardous design features within the development area. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impact to below a level of significance, if possible.

e) Result in inadequate emergency access?

Potentially Significant Impact. Further evaluation is required to determine whether the traffic generated by future development of the proposed project, as proposed, could result in inadequate emergency access within the development area, or to nearby land uses. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that would reduce impacts to below a level of significance, if possible.

f) Result in inadequate parking capacity?

Potentially Significant Impact. Future development would be required to provide adequate parking on-site, in accordance with the City of Fresno Zoning Ordinance standards. A parking analysis will be included as part of the traffic study for this development project. Further evaluation in the EIR is required to determine whether adequate parking would be included in the project design, and to determine the level of significance and identify mitigation measures that could reduce impacts to below a level of significance, if possible.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Potentially Significant Impact. A traffic analysis will be conducted for the proposed development and included in the Draft EIR. The Draft EIR will evaluate the potential for conflict with adopted policies, plans, or programs supporting alternative transportation. Mitigation measures will be recommended as appropriate.

3.16 UTILITIES AND SERVICE SYSTEMS

a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?

Potentially Significant Impact. The City of Fresno's Wastewater Management Division provides wastewater treatment to the project area. Wastewater from the project would be treated at the Fresno-Clovis Regional Wastewater Reclamation Facility (FCRWRF) that is located at 5607 West Jensen Avenue in the City of Fresno, approximately nine miles south of the project site. In 2001 the Central Valley Regional Water Quality Control Board adopted Order Number R5-2001-254 setting limits on the concentrations of pollutants, such as metals and hydrocarbon pesticides, which are allowed to be discharged from the FCRWRF. The project would generate wastewater from commercial uses. The Wastewater Management Division of the City of Fresno will be consulted to help assess what impacts the project may have on wastewater treatment. Project impacts on wastewater treatment will be discussed further in the EIR.

b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Potentially Significant Impact. Future development of the proposed project would increase the demand for water and wastewater treatment services. A Water Supply Assessment is required to be completed for the proposed project under SB 610. Water demand by the project must be estimated before project impacts on water treatment facilities can be determined. Wastewater from the project would be treated at the Fresno-Clovis Regional Wastewater Treatment Facility (FCRWTF). The FCRWTF's existing capacity for primary and secondary treatment is 80 million gallons per day (mgd), and the current wastewater flow through the FCRWTF is approximately 68 mgd (City of Fresno 2007e). An expansion of the FCRWTF to a capacity of approximately 100 mgd is underway and is expected to be completed in 2008 (Hoda 2007). The Wastewater Management Division of the City of Fresno will be consulted to help assess what impacts the project may



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have on wastewater treatment capacity. Project impacts on wastewater treatment capacity will be discussed further in the EIR.

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?

Potentially Significant Impact. A hydrology study will be prepared as part of the EIR to determine whether existing storm drain facilities would adequately collect and convey developed site runoff without any significant impact to off-site storm drain facilities, or if new facilities would be needed to handle the runoff from the developed site. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that would reduce impacts to below a level of significance, if possible.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Potentially Significant Impact. Implementation of the proposed project would generate additional demands for water for domestic and irrigation purposes beyond the level currently planned for. The potential volume of this demand would be estimated and compared to existing and planned water supplies, to determine significant impacts on local or regional water supplies. As mentioned above, a Water Supply Assessment will be required to be completed for the proposed project under SB 610. The Fresno Water Division will be contacted regarding the project's impact on their water supplies and to determine whether provision of adequate water service to the project would necessitate the construction or expansion of any major water treatment or distribution facilities. Further evaluation in the EIR is required to determine the level of significance and, where possible, mitigation measures will be identified to reduce potential impacts to below a level of significance.

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

Potentially Significant Impact. Wastewater treatment to the proposed project would be provided by the Wastewater Management Division of the City of Fresno. The FCRWTF has a capacity of 80 mgd; current flows through the facility are approximately 68 mgd. The facility is located at 5607 West Jensen Avenue, approximately nine miles south of the project site. An expansion of the FCRWTF to a capacity of approximately 100 mgd is underway and is expected to be completed in 2008 (Hoda 2007). The Wastewater Management Division of the City of Fresno will be consulted to help assess what impacts the project may have on sewer infrastructure and on wastewater treatment capacity. Project impacts on wastewater treatment capacity will be discussed further in the EIR.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Potentially Significant Impact. Commercial solid waste from the City of Fresno is taken to the Cedar Avenue Recycling and Transfer Station located at 3457 South Cedar Avenue in Fresno, approximately 13.4 miles southeast of the project site. The Transfer Station has a maximum permitted throughput of 3,100 tons per day. Recyclable materials and organic materials are removed from the waste stream at the facility. Remaining solid waste is disposed of at one of two landfills: the American Avenue Landfill in the community of Tranquility and the Avenal Regional Landfill in the community of Avenal (Shipes 2007). The American Avenue Landfill is located at 18950 West American Avenue in the community of Tranquility, approximately 18 miles southwest of the project site. The landfill has a maximum permitted disposal rate of 2,200 tons per day,

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remaining permitted capacity of approximately 29,360,000 cubic yards, and an estimated closing date of 2031 (CIWMB 2004). Project impacts on landfill capacity will be discussed further in the EIR.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact. Public Resources Code §§ 40000 et seq. requires that local jurisdictions divert at least 50 percent of all solid waste generated. The City of Fresno has a curbside recycling program that includes blue carts for disposal of paper, cardboard, metals, plastic, and glass, and green carts for plant material (SWMD 2007). The City of Fresno is currently diverting approximately 56 to 57 percent of solid waste generated within the City into recycling and composting programs (Toews 2007). The City of Fresno is meeting state requirements under PRS §§ 40000 et seq. The project would have no significant impact on laws and regulations governing solid waste disposal. No further analysis is needed and no mitigation is necessary.

3.17 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?

Potentially Significant Impact. The proposed project has the potential to degrade the quality of the environment, or interfere with biological resources. The Draft EIR will evaluate these topics in greater detail to determine whether the project would generate significant environmental impacts.



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.)

Potentially Significant Impact. The proposed project has the potential to degrade the quality of the environment through impacts to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, population and housing, public services, transportation/traffic, and utilities and service systems. The Draft EIR will evaluate these topics in greater detail to determine whether the project would generate significant environmental impacts.

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

Potentially Significant Impact. The proposed project could potentially result in environmental effects that may cause adverse effects on human beings with regard to aesthetics, agricultural resources, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation and traffic, and utilities and service systems. As a result, impacts could be potentially significant and these issues shall be studied further in the EIR.

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4. *References*

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