

Responses to Comments on Producers Dairy Cheese Plant Initial Study January 2017

The public comment period for the Producers Dairy Cheese Plant Initial Study was from November 30th, 2016 to December 31st, 2016. During that time, 1 comment letter was received. The responses to that letter are listed below. Public comments received during the September 20th, 2016 and December 19th, 2016 public meetings are recorded, and responded to, as Appendices to the Draft Supplemental Environmental Impact Report (SEIR).

Responses to Comment Letter #1:

Response 1-1

A copy of the August 2016 contract between Soar Environmental Consulting and Producers Dairy, and was provided to Patience Milrod by the City via email on January 3, 2017.

Response 1-2

CEQA Guidelines Section 15084(d)(3) specifically allows for the Lead Agency (City of Fresno) to "accepting a draft [EIR] prepared by the applicant, a consultant retained by the applicant, or any other person."

Response 1-3

A copy of the Distribution List can be provided. Per CEQA §§ 21092 and 21092(3)(C) respectively, the Notice of Preparation was provided to "the last known name and address of all organizations and individuals who have previously requested notice" and by conducting "Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll."

Response 1-4

The City was not made party to any site relocation discussions between the California High Speed Rail and Producers Dairy. The site plans for 1752 G Street and 302 N Thorne Ave are private plans not submitted to the City and are not part of the proposed Project. Additionally 302 N Thorne Ave is currently not used for delivery trailer parking. Therefore site plans for the two sites do not fall under the scope of the SEIR.

Response 1-5

Meeting Minutes for the September 20th, 2016 Community Outreach Meeting & December 19th, 2016 Scoping Meeting will be released as Appendices to the Draft SEIR.

Response 1-6

This public comment does not address specific environmental concerns.

Response 1-7

This public comment does not address specific environmental concerns. The portion of the Tower District FEIR addressing the Project site will be included as an Appendix to the Draft SEIR.

Response 1-8

The current proposed project is indeed different from the original project proposed in the 1991 Tower District FEIR. The 1991 Tower District FEIR has mitigation measures governing the specific use of the Project site. Since the proposed Project differs from that in the FEIR, an SEIR is being prepared to evaluate environmental impacts and develop specific mitigation measures for the proposed project.

CEQA § 15163(a)(2) allows for a Lead Agency to prepare a Supplement to an EIR if "Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation." Because the 1991 Tower District FEIR is a large-scale "programmatic" level EIR, an SEIR is required to update the 1991 Tower District FEIR in relationship to the proposed Project.

Response 1-9

Details of proposed operations will be included in the SEIR Project Description.

Response 1-10

The 302 N. Thorne site is not available for use due to construction and property take by the California High-Speed Rail.

Response 1-11

In accordance with CEQA §15143, if the Lead Agency subsequently receives information inconsistent with the finding in the Initial Study, effects can be discussed further in the EIR.

Response 1-12

Both the Tower District Specific Plan and the City General plan zone the Project site as Light Industrial. The Project is consistent with this zoning and with both Plans.

Response 1-13

An omission did occur in the identification of Tower District Design Review Committee members, and a member of the public which voiced concerns over Project aesthetics was erroneously identified as a Committee member.

Response 1-14

See Response 1-17.

Response 1-15

The viewpoints in Section 6.1 (Aesthetics) of the Initial Study provide adequate coverage of the Project and its surrounding area. Figures 8 through 14 of the Initial Study show 24 viewpoint photos taken at six different locations at equal distances around the perimeter of the Project. Viewpoints 2, 3, 5, and 6 (Figures 10, 11, 13, and 14) along N Ferger Ave and N Roosevelt Ave show the Project from the view of residences along both streets. Viewpoint 1 (Figure 9) shows the view of the property as seen by residences on the southern border of the property. Viewpoints 3-5 (Figures 11-13) show views of the Project along E. Belmont Ave.

Response 1-16

An aesthetics analysis was completed and discussed in Section 6.1 of the Initial Study. See Response 1-17.

Response 1-17

The view of residents walking and driving past the Project site has been considered in Section 6.1 of the Initial Study. The buildings on the site screen view of delivery trailers only from the North-East corner of the property. The delivery trailers are currently visible from 3/4 of the project perimeter. The sound wall will potentially block views on the southern 1/2 of the property. Therefore the project will approximately result in 1/2 of the property being screened instead of the current 1/4 - an actual improvement in screening view of the delivery trailers. Secondly, the removal of the current buildings was not considered to "substantially degrade the existing visual character of the site and its surroundings" (Section 6.1.c).

Response 1-18

CEQA Appendix G (CEQA Checklist) states "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." Specifically the threshold of determining under CEQA whether a project has a significant impact or not on Air Quality is set by the local air pollution control district. As further detailed in Section 6.3.A of the Initial Study, the San Joaquin Valley Air Pollution Control District (SJVAPCD) has established a Small Project Analysis Level (SPAL). This document sets two thresholds applicable to the project - Vehicle Trips per day and Project Footprint. The Vehicle Trips threshold is 1,506 trips per day and the Project Footprint threshold of 510,000 square feet. The proposed Project will have 70 trips per day (5% of the threshold) and has a footprint of less than 80,000 square feet (16% of the threshold). Therefore under CEQA the project will have a Less than Significant Impact on Air Quality.

Response 1-19

The additional information is noted. Please also see Response 1-18.

Response 1-20

See Response 1-18.

Response 1-21

The Project is consistent with the programmatic Historic & Cultural Resources Element & Objectives of the 2014 General Plan.

Response 1-22

This comment is not within the scope of the proposed Project.

Response 1-23

Concerns about truck traffic and hours of operation were received and acknowledged during the December 19th SEIR Scoping Meeting. The purpose of Section 3.3 is to describe, and not analyze, the Project Site and Surrounding Uses. Section 3.3 describes the Project Site, and the surrounding businesses, residential buildings, and their uses. The location and type of local residences are described in Section 3.3, as well as the address of several buildings boarded up as of the date of the Initial Study - November 2016.

Response 1-24

The Environmental Impacts of the Project, including impacts to the surrounding neighborhood, were evaluated in Section 6.0 of the Initial Study. The Initial Study found potential significant impacts for Cultural Resources, and found the project impacts to be Less Than Significant with Project Mitigation for the following sections: Land Use and Planning, Noise, and Transportation and Traffic.

Response 1-25

The proposed Project has filed for a variance and is currently being reviewed. The Development Permit for the project is No. D-16-088.

Response 1-26

Additional details of hours of operation, trips per day, and other operational details will be included in the Project Description in the Draft SEIR.

Response 1-27

This was an administrative error.

Response 1-28

Mitigation Measure LUP 2 is tiered from the programmatic Tower District FEIR mitigation measures. An acoustic study will be conducted, and potential noise impacts will be further analyzed in the Draft SEIR.

Response 1-29

See Response 1-28.

Response 1-30

See Response 1-28.

Response 1-31

Vibration impacts were analyzed in Section 6.12.b of the Initial Study, and found to have a Less than Significant Impact. While City Development Code 15-2507 requires that “no vibration shall be produced that is transmitted through the ground and is discernable without the aid of instruments by a reasonable person at the lot lines of the site”, it also exempts vibrations from temporary construction, demolition, and vehicles that enter and leave the subject part (e.g. trucks) from this standard.

Response 1-32

Transportation and Traffic Impacts were analyzed in Section 6.16 of the Initial Study. This section found the proposed Project would result in an overall reduction of transportation and traffic impacts by reducing Vehicle Miles Traveled (VMT) by 2.8 miles - a 66% reduction in local traffic. CEQA § 15125(a) requires an environmental analysis to be conducted on a Project's local environment as it currently stands at the time the environmental analysis is commenced, not the environment at some point in the past. Therefore the current staging site at 1752 G Street was used for calculating traffic impacts instead of the former 302 N Thorne Ave site. Upon receiving this comment letter, a second look was taken at the distances. The driving distance from the original staging/parking site at 302 N. Thorne Ave to the production site at 144 E. Belmont Avenue is 0.6 miles. The driving distance from the Project site at 450 E. Belmont Ave to the production site at 144 E. Belmont Ave is 0.2 miles. The project site is still 0.4 miles closer to the production site than the original parking location at 302 N Thorne Ave. Either way, the Project reduces Vehicle Miles Traveled (VMT). Additionally, delivery trailer traffic will be restricted on N Roosevelt Ave and N Ferger Ave to only the approximately 175 feet between Belmont Avenue and the proposed entrance and exit to the site. Therefore Project traffic will only travel in front of 2 residences on N Roosevelt Ave, and 1 residence on N Ferger Ave.

Additionally the proposed Project will result in an increase of 20 truck trips per day (from 50 trips to a total of 70 trips), which is well within the 17,800 trips per day on Belmont Avenue identified in Figure 4.2-2 of the Tower District FEIR.

Response 1-33

See Responses 1-34 through 1-36.

Response 1-34

CEQA § 15126.6(c) requires an examination of project alternatives with the fewest potential environmental impacts and meet most of the basic Project Objectives. This North Building Relocation Alternative will be analyzed in the SEIR because it is a potential alternative which could potentially not only preserve the significance of the historical resource by preserving the building, but also allow for the full use of the Project site for delivery trailer parking. The alternative will be analyzed in more detail in the SEIR.

Response 1-35

The Façade Alternative as analyzed in the SEIR will include analyzing the preservation of the facades for the North and South buildings.

Response 1-36

Preservation and adaptive reuse of the existing buildings will be analyzed as an additional Project Alternative in the SEIR.

Response 1-37

The proposed sound wall will be a decorative 12- foot sound wall and will serve to screen the southern half of the property. The monument will be less of a target for vandals than the current boarded-up buildings. Section 6.1.b of the Initial Study (page 30), states “All existing city trees along roadways will remain and not be impacted by the proposed project.” Section 3.4.B of the Initial Study (New Off-Site Construction, page 15) notes the proposed Project will include a new accessible ramp at the corner of Belmont and Roosevelt, and will place a “new sidewalk, curb, and gutter at areas where the existing drive approaches were demolished”. Additionally, “the City of Fresno may require any damaged curb, gutter, and sidewalks to be replaced.” Per City traffic design, the closest crosswalk across E Belmont Avenue is at the intersection of N Palm Ave and E Belmont Ave.

Response 1-38

The studies provided have been duly noted and have been incorporated into the public record. Please see Response 1-18 for more details regarding Air Quality impacts.