



Public Comments received from July 14, 2023 through August 28, 2023

From:
To:
Adrienne Asadoor

Cc: Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Luis Chavez; Garry Bredefeld; Nelson Esparza;

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clerkbos@fresnocountyca.gov; aolivas@fresnocountyca.gov; Mayor

Subject: In opposition to SEDA

Date: Monday, August 28, 2023 11:51:44 AM

External Email: Use caution with links and attachments

The first objective documented by the SEDA-EIR is to "accommodate between 40,000 and 45,000 dwelling units". The population of the State of California has now declined by close to 1 million people over the last two years. This population decline was not forecasted. According to a June 2023 LA Times survey, 40% of the people in California are seriously considering leaving. The EIR and SEDA plan have failed to recognize the quickly changing current population statistics and need to be reconsidered in light of the potential for this trend to continue.

- 1. Have you accounted for an un-forecasted decline or flat population for Fresno? What will be the taxpayer and environmental cost of annexation on every key element of the SEDA plan if Fresno's population declines along with current California trend?
- 2. If Fresno's population does decline or stays flat, how would this annexation still make sense? Would you allow massive housing development without the new people to fill it? Would it result in people abandoning city apartments for new housing? Might this cause Fresno home resale values to plummet and the inner city to crumble? Or would it just result in abandoned housing projects spoiling our prime agricultural land....Like the old Running Horse project?
- 3. What alternatives have you considered should the California population trend continue? Would it be wiser to focus on investing the state's 250 million dollar gift to improve infrastructure inside the current city limits instead of promoting this urban sprawl; potentially without the population to support it? Would it make better sense to postpone this plan for a few years to understand

if the current population trends will continue?

Given the uncertainty about California's declining population trend, a massive city expansion via annexation is too risky. Ignoring this possibility and continuing with outdated population assumptions is simply irresponsible. It has the potential for a huge wasted investment that only benefits a few real estate developers at the expense of prime agricultural land, county property owners and residents, and the people of the City Fresno.

Virtually every resident and property owner in this area is against the plan. Please let us vote on it. Or are you afraid of what we'll say with our votes?

Alan Cederquist



September 6, 2023

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

Sent by email: adrienne.asadoorian@fresno.gov

RE: Southeast Development Area Draft Program Environmental Impact Report

Dear Ms. Asadoorian,

I am the Assistant Director of the Central Valley Health Policy Institute. CVHPI's mission includes improving equity in health by developing the region's capacity for policy analysis and program development, implementation, and evaluation. I have reviewed the data supporting the Air Quality section of the July 14, 2023, draft Program EIR for the Southeast Development Area, and offer these comments.

The draft PEIR includes calculations for annual tons of nitrogen oxides (NOx) and reactive organic gases (ROG), but it fails to calculate the ozone pollution that will result from these two precursor pollutants and to factor in the increasing number of extremely hot days each summer as climate change impacts Central Valley weather. In this region, quantifying ozone pollution arising from new development is crucial to establishing the impacts on human health the proposed development will create. The PEIR must thus include projected ozone production, based on the tons/year figures for NOx and ROG, as well as summer averages in tons/day that factor in escalating excess heat events over the pertinent years. There are tools readily available for such calculations, including but not limited to The Community Multiscale Air Quality Modeling System (CMAQ).

Studies document that incremental increases in ozone levels alone—independent of the other pollutants the project will create—will have the following human health impacts: decreased lung function, decreased lung function growth in children, increased asthma-related emergency visits and hospital admissions, and mortality among older adults. In Fresno County, a rigorously sound study conducted by Entwistle et al. (2019) showed

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¹ https://www.sciencedirect.com/science/article/pii/S0012369221036266

² https://link.springer.com/article/10.1007/s11869-019-00685-w

³ https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3581312/

decade, The Children's Health and Air Pollution Study (CHAPS) has documented the adverse health effects on children that ambient air pollution has in Fresno including lung function, chemical modification of DNA (methylation), metabolic dysfunction, and oxidative stress.⁹

The toll on human health this project's pollution will take on the population of the area, and on children, appears to be quite serious and pervasive. The City must insist on thorough and accurate analysis, and robust mitigation of air quality impacts before approval.

Please include these comments in the record of this project. Thank you.

Sincerely,

Emanuel Alcala (Sep 6, 2023 10:06 PDT)

Emanuel Alcala, PhD Assistant Director Central Valley Health Policy Institute 1625 E. Shaw Ave Ste. 146

Fresno, CA 93710 Phone: 559.228.2137

RWHF Health Policy Research Scholar

https://healthpolicyresearch-scholars.org/scholars/emanuel-alcala-2/

cvhpi.org

⁸ https://www.nature.com/articles/s41370-021-00323-7

⁹ https://www.chapssjv.org/publications



August 25, 2023

Adrienne Asadoorian, Planner City of Fresno 2607 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

RE: Comments on SEDA EIR

Dear Ms Asadoorian:

Although the Building Industry Association (BIA) does not have any specific comment on the Environmental Impact Report (EIR) for the Draft Southeast Development Plan, the BIA does have comments on the draft Plan on which the EIR is based.

The BIA generally supports the draft Specific Plan which will provide much needed housing for the city in the coming years to meet its state housing obligations and is nearer Fresno's employment centers than most other areas of the county. There are, however, some constraints within the Plan that are problematic for the building industry. The Plan does not allow density under about 6 units per acre. Although builders usually build at much higher density, the total elimination of the larger lot subdivisions will not serve a portion of the population. In addition, the restriction on cul-de-sacs, which is the preferred location for residents to live, will deprive buyers of their desired location within a subdivision.

With these reservations, the BIA supports the approval of the EIR for SEDA.

If you have any questions, please call me at (559) 226-5900.

Sincerely.

Michael Prandini President & CEO

California Department of Transportation

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August 25, 2023

FRE-180-64.104 Southeast Development Area Draft Environmental Impact Report (DEIR) SCH #2022020486

GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/28801

SENT VIA EMAIL

Mx. Adrienne Asadoorian, Planner III City of Fresno Planning and Development Department 2600 Fresno Street, Room 3065 Fresno, CA 93721

Dear Mx. Asadoorian:

Caltrans has completed our review of the Draft Environmental Impact Report (DEIR) for the Southeast Development Area (SEDA) in the City of Fresno.

The proposed development area covers nearly 9,000 acres. It is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the west by Locan, Temperance, and Minnewawa Avenues.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

DEIR-Traffic Impact Analysis (TIA) Comments:

The concerns below should have been adequately addressed in the DEIR or TIA. While the DEIR is a comprehensive planning document, it is recommended that the DEIR endorse procedures that address traffic safety on the State Highway System. Caltrans did provide a comment letter dated March 18, 2022, during the Notice of Preparation with a public comment period from February 22, 2022, to March 25, 2022, which is included in Appendix A of the DEIR. Comments one through eight presented herein are included in the attached letter dated March 18, 2022, and are as follows:

Mx. Adrienne Asadoorian – Southeast Development Area Draft EIR August 25, 2023 Page 2

- 1. This development region will likely add vehicles to the State Road (SR) 180 interchanges at <u>Clovis Avenue</u>, <u>Fowler Avenue</u>, and <u>Temperance Avenue</u>. As a result, there may be significant speed differences between the off-ramp queues and the freeway mainline. Each of these interchanges is recommended for a peak-hour ramp queuing analysis to assess potential impacts. This development area is also expected to add vehicles to the SR 180 intersections at <u>De Wolf Avenue</u>, <u>Highland Avenue</u>, and <u>McCall Avenue</u>. The result may be significant speed differentials between the turn lane queues and the through-lane traffic caused by insufficient left-turn lanes or intersection control. It is recommended that a peak-hour queue analysis be completed at each of these intersections to determine potential impacts.
- 2. It is recommended that the lead agency include a traffic safety review that examines new pedestrian and bicycling desire lines, multimodal conflict locations, and changes in traffic composition (such as an increase in bicyclists or pedestrians, where features such as shoulders or sidewalks may not exist or are inconsistent with facility design). This analysis should include the SR 180 interchanges at Fowler Avenue and Temperance Avenue and the SR 180 intersections at De Wolf Avenue, Highland Avenue, and McCall Avenue. For future residential development, Caltrans recommends that project proponents consider working with the City to convert a portion of the planned residential units to affordable housing.
- 3. The City should develop policies for installing Level 2 EV charging stations in singleand multi-family residential units and DC Fast Charging EV charging stations in retail, commercial, park, and public facilities.
- 4. Caltrans recommends that the Project use multimodal methods, such as those derived from transit-oriented development (TOD), to minimize the traffic-related impacts of future developments. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans helps reduce VMT and GHG emissions by increasing people's likelihood of using and benefiting from a multimodal transportation network.
- 5. Early involvement with Caltrans is strongly encouraged for future projects affecting the state right-of-way.

The Caltrans Traffic Safety Bulletin 20-02-R1: Interim Local Development Intergovernmental Review Safety Review Practitioners Guidance provides direction on analyzing the safety impacts on the State Highway System by proposed land use projects. Subsequent projects included in this development area should incorporate this guidance.

VMT Analysis Comments:

The preparer of the VMT Analysis concluded that the VMT per Service Population in the SEDA project region will fall from 45.72 to 5.07 when the project is completed in 2035. The move from a primarily rural location (as the SEDA project area is now) to a developed urbanized mixed-use site results in a significant drop in VMT. Additionally, the VMT Analysis preparer claims that this is attributable to residents and employees

Mx. Adrienne Asadoorian – Southeast Development Area Draft EIR August 25, 2023 Page 3

being better connected to jobs and services within the SEDA project area, reducing travel times on both the production (residential) and attraction (commercial) sides.

Conversely, the Year 2035 No Project Conditions VMT for the SEDA Project Area is 371,397 per Table 7. Table 10 presents the Year 2035 With Project Conditions VMT for the SEDA Project Area is 974,369. This translates to a net VMT increase of 162.35%.

In theory, the relationship between production (residential) and attraction (commercial) may minimize VMT at full buildout; nevertheless, a typical land-use plan buildout begins with the production (residential), followed by the attraction (commercial). The concern is that the attraction (commercial) will develop slowly over time, causing a VMT impact in the SEDA region.

Based on our review of the VMT Analysis, we recommend that the EIR preparer address the safety concerns by undertaking a peak hour ramp queue analysis at the interchanges/intersections on SR 180 from Clovis to McCall Avenues, as stated previously.

The SEDA Specific Plan should also explore several possible VMT migration strategies, such as:

- 1. Creation of regional-level VMT bank or VMT exchange program;
- 2. Improved Public Transportation: Expanding and enhancing public transit options to encourage more people to use buses, trains, and other forms of public transportation instead of driving individual cars;
- 3. Enhance parallel routes near SR 180, such as Belmont Avenue or Kings Canyon Road. For example, the plan is to extend the Bus Rapid as cited in Policy UF-5.2. In addition, the City may consider signal synchronization along the corridors, if not already.
- 4. Active Transportation: Creating infrastructure and promoting walking, biking, and other forms of active transportation, especially for short distance trips;
- 5. Telecommuting and Flexible Work Arrangements: Encouraging remote work options to reduce the need for daily commuting;
- 6. Carpooling and Ridesharing: Promoting carpooling and ridesharing initiatives to reduce the number of single-occupancy vehicles on the local road system and highways;
- 7. Transportation Demand Management (TDM): Implementing policies and programs that encourage the use of alternative transportation options and reduce the reliance on single-occupancy vehicles; and,
- 8. Incentives and Subsidies: Providing incentives, subsidies, or tax breaks for using public transportation or purchasing electric or fuel-efficient vehicles.

The SEDA area may aim to establish more sustainable and efficient transportation systems while addressing environmental and social concerns related to increasing vehicle use by implementing these and other VMT mitigation strategies.

Mx. Adrienne Asadoorian – Southeast Development Area Draft EIR August 25, 2023

Page 4

If you have any other questions, please call Keyomi Jones, Transportation Planner, at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

David Padilla, Branch Chief, Transportation Planning – North

Attachment: Caltrans comment letter March 18, 2022

C: Sophia Pagoulatos, Planning Manager, City of Fresno State Clearinghouse

Mx. Adrienne Asadoorian – Southeast Development Area Draft EIR August 25, 2023 Page 5

ATTACHMENT Caltrans comment letter March 18, 2022

California Department of Transportation

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March 18, 2022

FRE-180-R65.1 NOTICE OF PREPARATION, EIR https://ld-igr-gts.dot.ca.gov/district/6/report/25659

SENT VIA EMAIL

Shawn Monk, Planner
City of Fresno
Long Range Planning Division
Office: 559-621-8031
shawn.monk@fresno.gov

Dear Mx. Monk,

Thank you for the opportunity to review the Notice of Preparation of a Program Environmental Impact Report for the Southeast Development Area Specific Plan. The proposed Southeast Development Area covers nearly 9,000 acres and has the potential to accommodate approximately 45,000 homes by the year 2050. The Plan Area is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the West by Locan, Temperance, and Minnewawa Avenues.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

- 1. Caltrans anticipates this development area would add substantial traffic to the State Route 180 interchanges at Clovis Avenue, Fowler Avenue, and Temperance Avenue. The result could be significant speed differentials between the off-ramp queues and the mainline of the freeway. It is highly recommended that a peak hour ramp queue analysis is completed at each of these interchanges to determine potential impacts.
- 2. This development area would also be expected to add traffic to the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall Avenue. The result could be significant speed differentials between the turn lane queues and the through lane traffic caused by insufficient left turn lanes or intersection control. Therefore, it is also recommended that a peak hour queue analysis is completed at each of these intersections to determine potential impacts.
- 3. Future development(s) should also consider traffic safety impacts on the State Highway System due to new pedestrian and bicyclist needs based on new origins or destinations that intersect a State Route. Additionally, multimodal conflict points and change in traffic composition (such as an increase in bicyclists or pedestrians, where features such as shoulders or sidewalks may not exist or are inconsistent with facility design) should be included. The State Route 180 interchanges at Fowler Avenue and Temperance Avenue; and the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall

Shawn Monk, Planner- NOTICE OF PREPARATION, EIR March 18, 2022 Page 2

Avenue should be included in this analysis.

- 4. Future development(s) should conduct a Vehicle Miles Traveled (VMT) study for projects that may substantially induce Vehicle Miles Traveled (VMT). Pedestrian and bicycle facilities within the project site should be considered in this study. The project proponents should also consider coordinating with nearby planned bike networks for a larger active transportation network. The City should consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System.
- 5. For future residential development, Caltrans recommends project proponents consider working with the City to convert a portion of the planned residential units to affordable housing units.
- 6. The City should establish policies for the installation of Level 2 Electric Vehicle (EV) charging for single- and multi-family residential units as well as DC Fast Charging EV charging stations for retail, commercial, park and public facilities.
- 7. Caltrans recommends the Project implement multimodal strategies, such as those that originate from Transit-oriented development (TOD), in an effort to further reduce future projects' traffic related impacts.
- 8. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.
- 9. Early engagement with Caltrans is highly requested for future projects that would impact state right-of-way. Furthermore, prior to initiating the traffic study, please include Caltrans in the scoping.

If you have any other questions, please call or email Edgar Hernandez at (559) 981-7436 or edgar.hernandez@dot.ca.gov.

Sincerely,

David Padilla, Branch Chief Transportation Planning – North City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street, Third Floor, Room 3065 Fresno, California 93721

RE: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486"

Dear Ms. Asadoorian:

I contest Section 3.10 Hydrology and Water Quality for the following reasons:

The plan does explain Level I water but offers no explanation for where Level 2 water will come from and how sufficient the amount will be to serve 45,000 additional houses. There is every indication that Level 1 water will not be adequate. Please explain.

Sincerely,

Dr. Carol Bloesser Retired Fresno Unified Administrator SEDA Area Property Owner Member Southeast Property Owner's Association

cc: Fresno County Board of Supervisors

District 1: Brian Pacheco <u>district1@fresnoca.gov</u>
District 2: Steve Brandau <u>district2@fresnoca.gov</u>
District 3: Sal Quintero <u>district3@fresnoca.gov</u>

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Mayor Jerry Dyer mayor@fresno.gov

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street, Third Floor, Room 3065 Fresno, California 93721

RE: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486"

Dear Ms. Asadoorian:

I contest Section 3.15 Public Services:

1. The plan shows regional, community, and neighborhood town centers plus many forms of increased housing. Nowhere in the plan is there any consideration for fire stations or police stations. With developers ready to purchase any land they can for housing and retail, these will probably be forgotten. What are your plans for essential services?

Sincerely,

Dr. Carol Bloesser Retired Fresno Unified Administrator SEDA Area Property Owner Member Southeast Property Owner's Association

cc: Fresno County Board of Supervisors

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Mayor Jerry Dyer mayor@fresno.gov



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August 28, 2023

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

Email: adrienne.asadoorian@fresno.gov

Re: Comments on Draft Program Environmental Impact Report for Fresno Southeast Development Area (SEDA) Specific Plan Project City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 dated July 14, 2023

Dear Ms. Asadoorian,

On behalf of the Sierra Club and the Central Valley Partnership, we submit the following comments on the Fresno Southeast Development Area (SEDA) Specific Plan project Draft EIR (DEIR). The SEDA project would be a massive development project with extensive impacts that must be carefully planned and mitigated. It has been accurately described as follows:

[the project will] transform nearly 9,000 acres southeast of Fresno into a new Clovis on Fancher Creek.

The project up for the city council's vote will be one of the biggest suburban sprawl projects in Fresno's history. The Dyer administration's plan includes 45,000 homes and up to 150,000 people, on a stretch of land that is currently a patchwork stretch of farmland, rural homesteads, two-lane country roads, and stop-signs.

Known as the Southeast Development Area (SEDA), the transformed community would rival the size of Clovis – 16 times the size of the Copper River project in northeast Fresno, and seven times as large

as Riverstone and Tesoro Viejo, the major new communities across the San Joaquin River in Madera.

(Weaver, Fresnoland, August 25, 2023, "Another Clovis, but in southeast Fresno? City moves forward on mega-development plans", available at https://fresnoland.org/2023/08/25/city-of-fresno-eyes-seda/.)

As required by the California Environmental Quality Act (CEQA), the City of Fresno (City) must address the impacts of this massive project, along with its cumulative impacts with other similar developments in the region. CEQA has been described as a bill of rights for an environmental democracy. It is intended to provide a "road map" and a "price tag" for proposed projects:

The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, not merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey.

(NRDC v. City of Los Angeles (2002) 103 Cal.App.4th 268, 271.)

Unfortunately, the SEDA EIR falls woefully short of providing the public and decisionmakers with sufficient information to evaluate and mitigate the project's impacts. These deficiencies must be rectified and a legally adequate EIR recirculated for public review and comment.

A. Agricultural Resources and Forestry Resources Impacts are Not Sufficiently Mitigated.

The SEDA DEIR, in its Agricultural Resource and Forestry Resources section, identifies the amount of farmland threatened with conversion to urban uses. The Plan's proposed development will effectively eliminate approximately 6,741 acres in agricultural production, which are specified as 2,475 acres of Prime Farmland, and approximately 1,352 acres of Farmland

of Statewide Importance, 1,189 acres of Farmland of local importance, and approximately 1,725 acres of Unique Farmland. (DEIR p. 3.2-16.)

The prominent problem of the SEDA DEIR pertaining to agricultural resources is that its proposed farmland mitigation measures for these thousands of acres of farmland rely upon inadequate policies that have not been adequately implemented. When Fresno's General Plan was adopted, farmland mitigation was perhaps the most contested and difficult policy of the entire document. Inevitably, after intense debate, the final 2014 Fresno General Plan contained key values and provisions that were structural in nature, including no sphere of influence extension, a prioritization of infill over greenfield development, and defining an easily implementable farmland mitigation policy.

Specific to the structural land use policies promoting farmland conservation, the 2014 Fresno General Plan stated, "Policies in the Plan will help preserve farmland by incentivizing new development within and adjacent to already-urbanized land, only extending public utilities to new development that adheres to the Plan, and not expanding the City's SOI." So, the proposed development of the Southeast Development Area effectively punctures the previously agreed upon sphere of influence boundary and violates the integrity of the city's hoped for revitalization as it re-initiates a historic pattern of sprawl development.

The achievement of a farmland mitigation policy was another important outcome of the 2014 Fresno General Plan. Originally, this General Plan specified under policy RC-9-c that when farmland was converted to urban uses, the City of Fresno would "permanently protect an equal amount of similar farmland elsewhere through easement." This simple, straightforward and implementable policy was consistent with other farmland mitigation programs that typically require mitigation at a 1:1 ratio on soils of similar quality under a conservation easement, however RC-9-c

¹ Fresno General Plan Adopted: December 18, 2014, Resource Conservation and Resilience Chapter, Farmland Section 7.6, pg. 7-42.

was later amended in ways that made it more muddled, less definitive and more difficult to implement.²

Today, as cited in the SEDA DEIR, the Fresno General Plan policy RC-9-c (the amended portion in italics) states:

"Farmland Preservation Program. In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisitions, Conservation Easements, Land Use Regulations, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some of all of the programs described by the California Council of Land Trusts."

After a decade, the 2014 General Plan's originally clear farmland mitigation policy has been amended, diluted, and as yet remains unimplemented. Even worse, its explicit direction to establish a "Farmland Preservation Program" remains incomplete. This reticence toward implementation erodes confidence that such measures will now be taken up within the Southeast Development Area's Specific Plan.

² The hearing to consider General Plan Amendment Application No. P18-03553 and related Environmental Finding was initiated by the Fresno City Council on March 3, 2017 through Council Resolution No. 2017-61. The final resolution approved the General Plan Text Amendment No. P18-03553 amending Farmland Preservation Program RC-9-c.

³ Fresno General Plan Adopted: December 18, 2014, Resource Conservation and Resilience Chapter, Farmland Section 7.6, pg. 7-43.

Given the lack of compliance with earlier planning policy plans and directives related to farmland conservation, it is recommended that the City of Fresno institute a SEDA-specific urban growth boundary requiring fifty percent vote of city residents to all future proposed greenfield developments in the Plan Area. This would raise the level of planning diligence, democratic participation, and environment promoting policies as each future development project is considered. In addition, each future development proposal in the area should be authorized under a similarly constituted initiative process in authorizing community benefit agreements on each proposed development project to ensure its equity values can be programmatically achieved, such as in future apprenticeship programs and local hire mandates. Environmentally, community benefit agreements would better ensure that proposed "school and neighborhood gardens, community orchards, agricultural education centers and small farming operations in green belts and on the buffer edge" will be realized. (DEIR p. 3.2-17.) Both urban growth boundaries and community benefit agreements ensure resident-involved planning and democratic, participatory involvement through voter initiatives on each proposed future development projects within the Specific Plan area.

Specific to farmland mitigation, the SEDA DEIR inadequately identifies mitigation that can be expected to be meaningfully implemented. A proposed "Buffer District" is a much lesser threshold to breach in the future than an existing sphere of influence boundary in a general plan. Yet this is just the mitigation policy remedy being suggested in SEDA's DEIR policy framework. (DEIR p. 3.2-17.) The proposed Buffer District is purely aspirational without explicit mechanisms to hold the line on future greenfield development and residential sprawl. Most troubling is that the SEDA EIR's primary farmland mitigation policy proposal yet again relies upon the forever dormant 2014 Fresno General Plan policy RC-9-c guiding farmland mitigation, and MM AG-1.1 that was supposed to establish a Farmland Preservation Program (FPP), now planned to be initiated by 2025. (DEIR p. 3.2-15.)

Given the past lack of planning policy follow through, the SEDA EIR makes contingencies, "because the FPP has not yet been developed, the proposed project would implement project-specific MM AG-2, which requires all future development to mitigate the loss of Prime Farmland, Unique

Farmland, or Farmland of Statewide Importance, on a project-by-project basis before the initiation of construction or ground-disturbing activities." (DEIR p. 3.2-17.) A project-by-project policy makes oversight of mitigation policy unworkable though it becomes necessary given the City of Fresno's past reticence and resistance to mitigate for the loss of farmland.

B. Air Quality Impacts Would be Significant And are Insufficiently Mitigated

1. Fresno's Current Air Quality Situation is Dire and Would be Worsened By the Project.

There is no dispute that the air quality in Fresno is abysmal. The prestigious American Lung Association's annual report State of the Air 2023 lists Fresno as the fourth-most polluted city in the country for ozone⁴, and the second most polluted for short-term particulate pollution, and the third-most polluted city for year-round particle pollution⁵. The federal EPA classifies the San Joaquin Valley Air Basin, of which Fresno is a part, as in "extreme" nonattainment of the National Ambient Air Quality Standard (NAAQS) for ozone, and in "serious" nonattainment for fine particulates (PM2.5) (DEIR, PP. @@.). The San Joaquin Valley is one of only two air basins in the entire country classified as in "Extreme" nonattainment for ozone. (EPA Green Book, at https://www3.epa.gov/airquality/greenbook/jnc.html, last visited 8/24/23. Classification of the San Joaquin Valley as in "Serious" nonattainment of the federal standard for PM2.5 is at https://www3.epa.gov/airquality/greenbook/rnc.html, last visited 8/24/23.)) Fresno is an unhealthy place to breathe, and especially so for sensitive groups, including children, the elderly, and the sick.

Both state and federal law require air basins to comply with the health-based state and federal Air Quality Standards. [E.g., 42 USCA §7401, et seq.).] The San Joaquin Valley Unified Air Pollution Control Agency (APCD)

⁴ The listing is for Fresno-Madera-Hanford, at https://www.lung.org/research/sota/city-rankings/most-polluted-cities; last visited 8/24/23.

⁵ The listing is for Fresno-Madera-Hanford, at https://www.lung.org/research/sota/city-rankings/most-polluted-cities; last visited 8/24/23.

has devised an Air Quality Management Plan (AQMP) to reduce the levels of health-damaging pollution in the air and make the air healthier to breathe. According to the DEIR, a new AQMP for ozone was due for submission to the EPA by August of 2022. There is no information in the DEIR as whether it was submitted or when an evaluation of the new AQMP by EPA might be expected; the fact remains that the Valley is in extreme nonattainment. A new plan for PM2.5 was submitted in June of 2020. (DEIR p. 3.3-25.) EPA has postponed the deadline for the Valley to meet the PM2.5 standard until 2024, but has not yet approved or disapproved the APCD's new plan to meet the federal standard. The Valley remains in serious nonattainment for PM2.5. However, these facts appear to matter little, since the DEIR clearly and unequivocally states that carrying out the SEDA plan is **not** consistent with the Air Quality Management Plan now in operation to meet healthbased federal and state Air Quality Standards, and would conflict with that Plan and with project significance thresholds established by APCD to prevent increases in ozone. (DEIR, pp. ES-6, ES-14, 3.3-45.) The DEIR states at page 3.3-45:

[T]he proposed Specific Plan would generate long-term emissions of criteria air pollutants that would exceed the Valley Air District's regional operation-phase significance thresholds, which were established to determine whether a project has the potential to cumulatively contribute to the [San Joaquin Valley Air Basin]'s nonattainment designations. Thus, implementation of the proposed Specific Plan would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of the AAQS.

(DEIR, p. 3.3-45, emphasis added.)

The DEIR also states, at page 3.3-51, that the Project will cumulatively increase the airborne pollution to which Fresno residents are exposed daily:

The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.

(DEIR, p. 3.3-51.)

2. Project Construction Emissions Would Be Significant For Every Pollutant Category.

The DEIR explains that, by itself, construction of the Project will cause emissions of every pollutant for which the Valley is in nonattainment in amounts that exceed APCD significance thresholds during each and every year of Project construction, 2023-2043, except the very last year. (DEIR, Table 3.3-8, p. 3.3-53.6) The DEIR makes no comparison between the emissions that Project construction will cause to the emissions provided for in the AQMP, a critical failure to provide the information that should be in the DEIR.7 It also asserts that it is "unavoidable" - if the SEDA plan is carried out – that "sensitive receptors" (e.g., children, the elderly, and people who already have respiratory illnesses) will be exposed not only to air that far exceeds the health-based state and federal Air Quality Standards, but they may also be exposed to toxic pollutant emissions, including carcinogens, during construction of the Project. Such carcinogens and other toxic chemicals are contained in diesel particulate emissions (commonly referred to as "DPM," for diesel particulate matter"), an airborne soup of chemicals and small particles, many of which either are carcinogenic, or have carcinogens adhered to them, that are emitted by diesel trucks and diesel-powered construction equipment.8

⁶ We note that, while the DEIR states that "[b]uildout of the proposed project would occur over approximately 25 years, or longer," the Table showing pollutant emissions from construction goes out only 19 years. There will, apparently, be even more pollutant emissions than the Table shows.

⁷ Nor is Appendix B, the Air Quality Appendix, much help. It contains only the same Table (in a slightly different format) and the outputs of the computer model used to predict Project emissions (these cannot easily be read by laypersons). It does not compare Project construction emissions with the AQMP.

⁸ For context, the South Coast Air Quality Management District (SCAQMD) estimates that 50% of the risk of cancer from airborne carcinogens in the greater Los Angeles are comes; last visitd 8/24/23.)from exposure to DPM. (Multiple Air Toxics Exposure Study V, SCAQMD, 2021, page ES-7. Available at https://www.aqmd.gov/docs/default-source/planning/mates-v/mates-v-final-report-9-24-21.pdf; last visited 8/24/23.

The potential health impacts from diesel particulate emissions are quite significant, as the DEIR shows at page 3.3-17. The DEIR, at page 3.3-59, tersely acknowledges that "Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a [Toxic Air Contaminant]." The DEIR disclaims the ability to estimate DPM emissions from the Project, but it admits that, as to toxic emissions, especially DPM:

[I]t is possible that the proposed project would result in cumulatively significant impacts to sensitive receptors, even if individual projects were each—less than significant.

(DEIR, pp. 3.3-60 to 61.). The DEIR's inability to estimate the amount of DPM emissions the Project would cause is severely undercut by the DEIR's ability to calculate the particulate emissions of the Project, both gross particulates and fine particulates, which should include many components of diesel particulate emissions. Some reasonable estimate should be possible, and it is a failure of information required by CEQA for the DEIR to make a good-faith attempt to provide this information. It has not done so.

Overall, the DEIR concludes that air pollutant emissions attributable to the Project, even after all feasible mitigation is applied, would have a "significant and unavoidable" impact, including on sensitive receptors. (DEIR, p. 3.3-61.) In short, the DEIR demonstrates that carrying out the SEDA Project is a recipe for Fresno to continue having some of the very dirtiest, unhealthful air in the nation for decades into the future, and a blueprint for allowing the Project to dump *more* ozone-causing emissions and particulate matter into the air Fresno residents breathe every day. It is a plan for forcing another generation of Fresno's children to grow up breathing air that compromises their lungs and may permanently harm their health. (See State of the Air 2023 Report, pp. 24-25 [health effects of particulates] and 26—27 [health effects of ozone].))

⁹ Diesel exhaust has been formally designated a Toxic Air Contaminant by the California Air Resources Board. (Cal. Code of Regs., title 17, section 19000.)

3. The DEIR Does Not Show That it has Applied All Feasible Mitigation.

As set out above, the DEIR thus acknowledges that the Project would make Fresno's already abominable air even worse, which creates significant impacts on the environment. It then asserts that:

No further measures to reduce operation-phase criteria air pollutant emissions are available beyond the applicable Valley Air District rules and regulations in addition to the proposed project's policies and design46.) guidelines [as set out in the DEIR].

(DEIR, p. 3.3-46.) The DEIR asserts that there are no further feasible mitigation measures. In fact, the DEIR implies that the Project is too big for its air quality impacts to be feasibly mitigated (DEIR p. 3.3-46), a concept that is antithetical to CEQA's purposes and requirements. Instead, the City should consider making the Project smaller, so that mitigation is feasible. CEQA requires that once significant impacts from a Project have been identified, the project should not be approved if there are feasible mitigation measures that would lessen or prevent such impacts. (Public Res. Code § 21002.)

The City must re-think mitigation. The SEDA is a major project, one that will greatly expand the City's population and infrastructure, and one whose construction will stretch out for a quarter-century, up to the time when California is committed to being carbon-neutral. (AB 1279; EO B-30-15.) Its operation will last much longer. The City is approving a Project that will define Fresno and its legacy for the rest of this century. If aggressive and effective mitigation for air pollutant emissions is not enacted now, when it will be most effective because it acts on a relatively blank slate, when will it be enacted? To avoid a future of decades of continued air that sickens Fresno's residents, we urge the City to adopt additional mitigation measures now that are specific and effective, and not just aspirational. We believe that there are many mitigation measures set out in the DEIR that could be made more effective, that would reduce the pollutant emissions of the Project, and that are feasible. Below is a summary of the more prominent ones.

4. Mitigation Measures Already in the DEIR Must be Strengthened.

The DEIR lists policies in the Fresno City General Plan and the SEDA plan as potentially lessening the air quality impacts of the Project. Many, if not most, of these policies are so conditional and aspirational as to be unenforceable. Examples include policies that include wording such as "support," "promote," "incentivize," or "pursue." (E.g.: Land Use Policies LU-2(b), LU 3(c;, HC 3.d; MT-2(c), (g) and m; Open Space Policy OS-10.5; Conservation Policies RC1.1, RC 1.3 (a) and (b), RC 1.4.)

Particularly important are those mitigation measures listed as "Municipal," which are under the City's direct control and discretion (e.g., Conservation Policies RC 4 (f) and (j), and 8(j).) Where a mitigation measure is within the City's direct control (such as setting energy efficiency standards for municipal buildings), and where the environmental impacts to be mitigated are as dire as violating the AQMP, the City *must* enact mitigation measures that are fully enforceable. (CEQA Guidelines §15126.4(a)(1) and (2).)

DEIR mitigation measures specific to the Project must also be made mandatory. Specifically, MM AIR 2.1's full list of controls for diesel-powered construction equipment should be made mandatory unless individual measures are proven infeasible under clearly defined standards, and MM AIR-3.1's measures to control emissions of Toxic Air Contaminants should be mandated for *use*, not merely for identification.

In addition, many measures in the DEIR could be made enforceable by defining terms in the measures (such as "feasible" in MM AIR-2.1) or by setting schedules and enforceable deadlines for measures calling for the adoption of controls or plans, or for the setting of standards. (E.g., Resource Conservation Policies RC-4(b), 4(g), and 4(k), RC-8(j), and others.)

We also note that several mitigation measures that should be made mandatory for individual developers for projects within SEDA could also be used to provide offsets for their projects' pollutant emissions, if also carried out outside SEDA. These include creation of off-site renewable energy projects, such as installation of solar panels on rooftops in existing Fresno neighborhoods, tree planting, and replacement of inefficient appliances in

homes in existing neighborhoods, and installation and maintenance of electric vehicle charging stations in Fresno neighborhoods or at facilities like shopping centers and sports facilities.

5. Because The DEIR is Inadequate as an Informational Document, Vital Information Must be Added, and the DEIR Recirculated.

The CEQA Guidelines require an agency to "use its best efforts to find out and disclose all that it reasonably can" in an EIR. (Guidelines § 15144.) The City has failed to do so here. Table 3.3-9, at page 3.3-55, which is the only table showing operational pollutant emissions from the Project, is an example of how uninformative the EIR is. It shows only a single year's emissions total: 2050, the year of full build-out of the Project, and seven years after the last year (2043) for which construction emissions are projected.

Presumably, many individual SEDA projects, from housing developments to transportation facilities, will be completed in the years prior to 2050 but their emissions are undisclosed. This is a critical failure of the DEIR to provide full disclosure of environmental impacts from the Project; the public has no clue about operational emissions from the Project for 46 years prior to 2050. There is not even information as to when the first individual SEDA projects will begin to operate and will have operational emissions.

The SEDA projects' expected operational emissions appear for the first and only time as they are expected to be in 2050. It is beyond credulity to assume to none of the SEDA component projects will emit any conventional pollutants until 2050, and that all of the individual SEDA projects will begin emitting at once, several years after construction emissions end. The DEIR states that "[r]egional construction and operational emissions reported in this analysis were modeled using CalEEMod using version 2020.4.0" (DEIR, p. 3.3-40), so the City presumably has at least some of this information. If it does not have it, the City must have, or must generate, this information to the extent it is feasible to do so, and the DEIR must provide it. The DEIR does state that, if climate change causes temperatures to rise, the number of days when ozone will form in the Valley:

If temperatures rise to the medium warming range, there could be 75 to 85 percent more days with weather conducive to ozone formation in Los Angeles and the San Joaquin Valley, relative to today's conditions. This is more than twice the increase expected if rising temperatures remain in the lower warming range. This increase in air quality problems could result in an increase in asthma and other health-related problems.

(DEIR, pp. 3.8-9 to 10.) Further, the DEIR states:

[Fresno] temperatures are predicted to increase by 4.5°F (degrees Fahrenheit) under the medium emission scenario and 8.5°F under the high emissions scenario.

DEIR, p. 3.8-10.)

The increase in pollutant emissions and the increase in temperatures and number of days when ozone is likely to form add up to a potential public health crisis, necessitating the fullest information that can be provided. Further, since this information is essential to any understanding of the health impacts of the Project, the DEIR must be recirculated with that information prior to certification. (CEQA Guidelines § 15088.5.) It is imperative that the decision makers and the public have this information.

Further, Table 3.3-8, at DEIR page 3.3-53 shows projected unmitigated yearly emissions of conventional pollutants from construction over the life of the Project. In the first year, 2024, the Table shows 1770.60 tons of volatile organic compounds VOC), a precursor of ozone, projected to be emitted. In the second year, 2025, the figure drops by more than half, showing 668.30 tons of VOC projected to be emitted. After those two years, projected VOC emissions plummet, with the 2026 VOC emissions projected to be 30.45 tons. No reason is given for this remarkably high and the subsequent drop-off and extreme drop-off, respectively, of the next two years' VOC emissions. Clearly, there must be a reason for this weird pattern of VOC emissions that must be disclosed by the EIR.

The emissions of nitrogen oxides (NOx) from construction listed in the Table show a steady decline over the years, as do other pollutants. Notably, PM2.5, which almost certainly contains carcinogenic DPM from construction equipment and diesel trucks, remain fairly steady throughout the years, with

2024's emissions and 2043's emissions being within 6 tons per year of each other.

Possible explanations for the high early VOC numbers are that the City knows of specific projects planned for construction in 2024 and 2035 that emit high levels of VOC, or that the emissions modeling failed to accurately predict or report VOC emissions in the first two years of the Project. However, the City is not sharing those- or any - explanations with the public. This is a further failure of the DEIR to provide full information to the public.

Finally, the DEIR does not predict pollutant concentrations in the ambient air that will result from both construction and operation of the Project.

6. The DEIR does not Correlate Pollutant Emissions From the Project with Resulting Health Impacts.

The California Supreme Court, in *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 ("Friant Ranch"), held that that the EIR on the Friant Ranch Project approved by the County of Fresno "fail[ed] to provide an adequate discussion of health and safety problems that will be caused by the rise in various pollutants resulting from the Project's development." (6 Cal.5th 502, at 527.) The DEIR here also fails to comply with the requirements of the *Friant Ranch* decision.

We first note that the DEIR does describe some health effects of ozone and PM2.5. (DEIR, pp. 3.3-12 to 3.3-12.) However, its description of the health impacts of PM10 and PM2.5 fails to point out the disproportionate impact of airborne particulate matter on disadvantaged communities. The APCD stated in a 2021 letter to the California Air Resources Board:

"As recent research indicates, there is a disproportionate health impact of PM2.5 exposure to people of color, and the burden of mobile sources to the Valley contribute significantly to these health effects. The State's CalEnviroScreen 3.0 tool indicates that a significant number of communities in the Valley are among the most disadvantaged in California for a number of indicators, including overall pollution burden, and diesel PM exposure (Figure 1). In fact, 20 of the top 30 most disadvantaged communities in California are within the San Joaquin Valley. As emissions from mobile sources contribute a

> significant portion to the overall pollution burden in these disadvantaged communities, achieving emissions reductions from mobile sources is paramount to improving the health of the most impacted residents in the State."

(APCD Comment Letter on Revised Draft 2020 Mobile Source Strategy, May 14, 2021, footnotes omitted. (https; ww2.arb.ca.gov/sites/default/files/2021-05/8-SJVAPCD_Comment_RevisedDraft2020MobileSourceStrategy.pdf; last accessed 4/6/23.) Here, the DEIR does not discuss the disparate effects air pollutant emissions increases may have on the disadvantaged communities within SEDA and elsewhere within the City.

In fact, the DEIR does not predict the impacts of its pollutant emissions on the ambient air at all, except to say that those emission will not be consistent with the AQMP. (DEIR, p. 3.3-45 ["implementation of the proposed Specific Plan would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of the AAQS."]) Beyond that, the DEIR says nothing about the magnitude of the increase in frequency and/or severity its new emissions will cause. Instead, it says tersely: "Air dispersion modeling is not applicable at a program level." (DEIR, p. 3.3-42.) No further explanation is provided. However, the California Supreme Court in *Friant Ranch* was presented with a similar claim, and held that "if it is not scientifically possible to do more than has already been done to connect air quality effects with potential human health impacts, the EIR itself must explain why, in a manner reasonably calculated to inform the public of the scope of what is and is not yet known about the Project's impacts." (Friant Ranch, supra, 6 Cal.5th at p. 520.) Here, the DEIR has not done the analysis of the impact on human health of the Project's new emissions (or even shown what all emissions are projected to be). Nor has the public been given an explanation of why it cannot provide that impact analysis, other than one short sentence saying it can't be done. As the Supreme Court in Friant Ranch made clear, more explanation is required.

Further, such an analysis *can* be done. When Cal State San Diego proposed a master plan to develop a new community, it eventually certified an EIR that did perform a *Friant Ranch* analysis, correlating the project's emissions with impacts on human health (although it acknowledged that the

analysis was not perfect). That analysis is available at https://missionvalley.sdsu.edu/pdfs/feir/appendices/4-2-3-sdsu-mv-health-effects-memo.pdf, and is hereby incorporated into this letter by reference. We also formally submit it into the administrative record for this Project by reference, as demonstrating that an analysis correlating emissions from a major project with impacts on human health is feasible.

The City has proposed a huge, multi-year Project that will transform Fresno. It must perform an analysis of the effects on human health of that Project's pollutant emissions, with the degree of precision that is currently possible and has been demonstrated in practice. The DEIR must be recirculated with the analysis when it is completed. CEQA and the public health demand no less.

C. GHG/Climate Change Impacts Are Not Adequately Analyzed or Mitigated.

As with its analysis for conventional air pollutants, the DEIR's analysis for greenhouse gas (GHG) emissions fails to provide the most basic information to the decision makers and the public. It also fails to adopt all feasible mitigation measures for the impacts of its emissions of climate-forcing gases, and it appears to be self-contradictory as to what the standard is as to the significance of those emissions.

1. The GHG Analysis Fails as an Informational Document

While the DEIR bestows considerable attention on the existing legal framework of the federal and state laws and regulations applicable to GHG emissions, it is remarkably short on information as to the GHG emissions to be expected from the Project. Like its description of SEDA emissions of conventional and toxic pollutants, described above, the DEIR provides only very limited information on the GHG emissions to be expected from the Project, and downplays the significance of those it does acknowledge.

In Table 3.8-2, at page 3.8-44, the DEIR sets out the Project's expected GHG emissions from construction. These are reported year by year for the years 2024 to 2043 (only 19 years from now, despite the DEIR's statement

that "[b]uildout of the proposed project would occur over approximately 25 years, or longer" at page 3.3-57).

The emissions expected from construction total 2,316,578 tons of carbon-dioxide equivalent GHGs. ¹⁰ The DEIR downplays the potential significance of this emission of over two million tons of GHGs by saying that "[s]hort-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change." (DEIR, p. 3.8-44.) This is nonsensical, since the fact that construction emissions are "one-time" for each individual project is somewhat meaningless, given that the DEIR has already shown that GHGs can remain in the atmosphere for decades or even centuries; carbon monoxide itself has a residency time of 50 to 200 years. (DEIR, p. 3.8-4.) It is their long period of residence in the atmosphere that enables GHGs emitted anywhere in the world able to affect the entire planet, as the DEIR observes at page 3.3-6 ("GHGs have long atmospheric lifetimes, several years to several thousand years. GHGs persist in the atmosphere for a long enough time to be dispersed around the globe.")

The DEIR itself states that "although it is unlikely that a single project will contribute significantly to climate change, cumulative emissions from many projects affect global GHG concentrations and the climate system." (DEIR p.3.8-7.) The Project's construction emissions cannot be made less than significant by calling them "one-time," since their effects will last for many decades or even for centuries.

As it does with the Project's expected emissions of conventional pollutants, the DEIR provides the Project's expected operational GHG emissions for only one year: 2050. (DEIR, Table 3.8-3, at p. 3.8-45.) The DEIR reports a surprisingly low total: 515,791 tons of GHGs. (*Id.*) We note that 2050 is the time by which the state is expected to carry out its many programs to reduce GHG emissions, including mandating zero-emission cars, setting low carbon fuels, reducing the carbon footprint of transporting water, and mandating electricity that is mostly or exclusively produced by non-

¹⁰ Because of the widely divergent longevity in the atmosphere of various GHGs, they are usually described in terms of the amount of their climate-forcing ability when compared with a single GHG, viz., carbon monoxide. This is called carbon monoxide equivalence. (DEIR, p. 3.8-3.)

carbon, renewable sources. (DEIR, p. 3.8-49.) Therefore, the 2050 GHG figure is almost certainly not representative of the Project's GHG emissions in all, or even most, of the years of its operation, before all the state programs have had full effect.

The DEIR is required to make a good-faith effort to discover and provide all the information it can. (CEQA Guidelines §§ 15003(i), 15144.) Here, the City had enough information to provide the expected total 2050 GHG emissions from operations. It also had enough information to provide the expected the GHG emissions from construction for each year between 2024 and 2043, showing that it has data on the expected year-by-year pace of construction and, by extension, on the pace at which SEDA projects would begin to operate. The DEIR used a widely accepted computer modeling system to predict the GHG emissions from the Project.

The short-term construction-related and long-term operational GHG emissions associated with future buildout of the Plan Area allowed under the proposed Specific Plan were estimated using California Emissions Estimator Model (CalEEMod) Version 2020.4.0. CalEEMod is a Statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from electricity use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO2 equivalent units of measure (i.e., MT CO2e), based on the GWP of the individual pollutants.

(DEIR, p. 3.8-43, italics added.) CalEEMod would have given the City information on the operational GHG emissions from the Project. With all this information, the DEIR could -and should- have provided approximate figures on the Project's operational GHG emissions year by year, giving the decision makers and the public a much better understanding of the amount of GHGs that would be emitted by SEDA. As it is, the DEIR has not performed a goodfaith analysis and has not provided all the information it can. It does not comply with CEQA and cannot support the approval of the Project.

- D. The EIR Fails to Address the Consequences of the City's General Plan Deficiencies.
 - 1. The City General Plan is Inadequate and its Deficiencies Preclude Approval of SEDA, Since Such Approval Relates to the General Plan's Deficiencies.

The general plan is the "constitution for future development ... located at the top of the hierarchy of local government law regulating land use " (DeVita v. Napa (1995) 9 Cal. 4th 763, 773, internal citations omitted.) Government Code section 65300.5 requires that all general plan elements be consistent with one another. County and city zoning ordinances also must be "consistent with the general plan." (Gov. Code § 65860(a); San Francisco Tomorrow v. City and County of San Francisco (2014) 229 Cal.App.4th 498, 508-509.) If a city or county's general plan is inadequate, it cannot support project approvals. (Camp v. Board of Supervisors (1981) 123 Cal. App. 3d 334, 352 [County could not approve subdivisions because some of its general plan elements were inadequate].) A permit may be challenged due to general plan inadequacy where the inadequacy is factually related to the characteristics or implications of the permit. (Garat v. City of Riverside (1991) 2 Cal.App.4th 259, 293.)

2. The General Plan Does Not Comply With AB 170.

AB 170, passed in 2003, enacted as Government Code section 65302.1 subdivision (b), requires that all cities and counties in the San Joaquin Valley amend their General Plans to add specific information on air pollution in their jurisdictions. This information must include "(1) A report describing local air quality conditions including air quality monitoring data, emission inventories, lists of significant source categories, attainment status and designations, and applicable state and federal air quality plans and transportation plans. (2) A summary of local, district, state, and federal policies, programs, and regulations that may improve air quality in the city or county. (3) A comprehensive set of goals, policies, and objectives that may improve air quality consistent with the strategies listed in paragraph (3) of subdivision (a). (4) A set of feasible implementation measures designed to carry out those goals, policies, and objectives." (Govt. Code section 65302.1(c).) Government Code section 65302.1, subd. (e), set a deadline for compliance with GC 65302.1 of "no later than one year from the date

specified in Section 65588 for the next revisions of its housing element that occurs after January 1, 2004."

A publication by the Air District (bearing the revision date of 04/02/09) reads, "AB 170 requires cities and counties to comply no later than one (1) year from the date specified in Government Code Section 6588 for the next revision of the housing element after January 1, 2004 (Section 65302.1.e). Based upon the schedule outlined in the bill, jurisdictions in Fresno and Kern counties are required to adopt these amendments by June 30, 2009. Jurisdictions in Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare counties have until June 30, 2010 to comply."] [Emphasis added.]

3. The City General Plan Has No Environmental Justice Element, an Element Mandated by SB 1000.

Effective January 1, 2017, SB 1000, codified as Government Code section 65302, subdivision (h)(2), required the adoption into cities' and counties' general plans of an Environmental Justice Element, or adoption of the objectives and policies of an Environmental Justice Element in other General Plan Elements, such Element to be adopted on the first occasion after January 1, 2018, when the city or county adopts or revises two or more general plan Elements. Until it actually adopts an Environmental Justice Element that fully complies with SB 1000, the City does not have an adequate General Plan, and may not approve development projects, including SEDA.

4. The Project's GHG Emissions Will Undercut the Effectiveness of Fresno's Sustainable Communities Strategy.

Fresno's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), adopted in 2014 and updated in 2018 and 2022, was "intended to identify integrated land-use and transportation strategies that lower per capita GHG [greenhouse gas] emissions from cars and light-duty trucks, and foster communities that are more equitable, healthy, and

sustainable."¹¹ As required by SB 375, the Fresno RTP/SCS is based on assumptions about future development "that are consistent with adopted local general plans."¹² And the RTP/SCS specifically relies on the City of Fresno's 2014 General Plan as a basis for changes in land use and transportation that will help meet state-mandated GHG reduction targets:

Scenario B [the basis for the land use projections in the 2022 RTP/SCS] was built primarily from existing local general plans, regional growth projections and insights from the REMI economic forecasting model. The City of Fresno's updated general plan calls for 50 percent of new growth in designated infill development areas and proposes no sphere of influence expansion through 2035, which will help rein in fringe development in a traditionally sprawling region. ¹³

Construction of thousands of acres of low-density development to the southeast of Fresno would vitiate these benefits, dramatically increase vehicle miles traveled, and make it impossible to meet state-mandated GHG reduction goals as contemplated in the RTP/SCS.

E. The EIR's Water Supply Analysis Is Inadequate.

The water supply for SEDA is only shown to be adequate up to 2035, and only if groundwater conditions do not change due to climatic changes or regulatory changes due to the Sustainable Groundwater Management Act.

The DEIR does not show that adequate water will be available to meet the anticipated demand from SEDA in addition to the demand from the rest of the City of Fresno past 2035, and not out to the purported build-out date

 $^{^{11}}$ Fresno Council of Governments. 2022. Regional Transportation Plan & Sustainable Communities Strategy. Available

at https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/.

¹² Fresno COG, 2022.

 $^{^{\}rm 13}$ Fresno COG, 2022 (Emphasis added).

(and the build-out date used in the Air Quality and Greenhouse Gas sections of the DEIR, as discussed earlier in these comments.)¹⁴

The City has long relied heavily on pumped groundwater to satisfy its water needs, as set out at DEIR, page 3-18-3. The DEIR states that prior to 2004, the City obtained 100 percent of its water from groundwater, but had reduced that by half in 2019 and 2020. (DEIR, p. 3.18-5.) However, the City is located over, and has been obtaining pumped groundwater from, the Kings River Subbasin, which has been designated as a critically overdrafted (i.e., over-pumped) basin. (DEIR, p. 3.18-4.) The Kings Subbasin is within the jurisdiction of the North Kings Groundwater Sustainability Agency (GSA), which is required under the Sustainable Groundwater Management (AB 1739 [Dickinson], SB 1168 [Pavley], and SB 1319 [Pavley]) to attain sustainability of groundwater basins by 2040. (DEIR, p. 3.18-3 to 4.)

Accordingly, the City has increased its purchases of surface water, obtaining surface water from the US Bureau of Reclamation (USBR)'s Central Valley Project and the Fresno Irrigation District (FID). The City is now attempting to recharge the Kings Subbasin, but the amount of water it can devote to recharge is less in dry years. (DEIR, p. 3.18-4 to 5.) The DEIR acknowledges that the water from the Central Valley Project is not always available, stating that "there have been extremely dry years in which no water is [sic] supplied"; this previously occurred in 2014 and 2015. (EIR, p. 3.18-6.) In those years, Fresno received only somewhat more than half of its usual Central Valley Project water.

The addition of 45,000 people in the SEDA Project will, of course, increase demand for water in Fresno. (DEIR, p. 3.18-7 ["Water supply for the Specific Plan Area will be met with existing supplies initially but will require additional supplies to meet buildout demands."]) The DEIR acknowledges that additional pipe infrastructure will need to be planned, sited, and laid (DEIR, p. 3.18-10). Plans for doing so are sketchy, at best, and it is not clear

¹⁴ The DEIR is riddled with analyses that focuses on 2035 at the expense of analyzing to the 2050 horizon year. For example, see pages 3.14-13 (Land Use), 3.15-8 (Public Services), 3.15-33 (also Public Services), p.3.17-32 (Transportation), and pages 2-5 and 406.

that the air quality and GHG impacts of that construction were included in the emissions totals in Tables 3.3-8 and 3.8-2. If they are not so included, those Tables are incomplete and misleading, and must be revised in a recirculated DEIR. The effects of supplying water in future years is it will impact other water users must also be analyzed.

However, there is another, fundamental, problem with the DEIR's analysis of water supply for the Project. The DEIR appears to analyze only the impacts of the Project on water supply to Fresno up to 2035 and *not* to 2050, when the full expected buildout and population of SEDA is expected. (Appndx. F, Water Technical Study, p.1.) The Fresno General Plan's Horizon" date is 2035, although full buildout is not expected until 2050 or beyond. (*Id.*).

The DEIR analyzes water demand for SEDA only out to 2035. (Water Technical Study, pp. 24-25.) The analysis makes clear that the DEIR is not exact; many "reasonable assumptions" about demand have been made. (Water Technical Study, p. 19.) Still the most favorable (to the City and future developers) conclusion that the Technical Study can reach is that "existing City of Fresno water supplies *could* be sufficient to supply the future development in SEDA in addition to the existing demands." (Water Technical Study, p. 24, italics added.). However, the Technical Study's estimate of water supply to Fresno, including SEDA, bears the disclaimer that the conclusion is valid only "assuming groundwater characteristics are not altered due to climatic events or regulatory influences from SGMA." (Water Technical Study, p. 24.) That same disclaimer appears in many discussions of groundwater in the main text of the DEIR (see DEIR, pp. 3.18-4, 5, 66, 67 and 68).

The DEIR appears to base much of its analysis of groundwater availability on the premise that climate conditions will not change, and the North Kings GSA will not impose conditions that change the current situation. Given both the DEIR's Table 3.8-2 (at p.3.8-11) showing the alarmingly high expected temperature increases in the Fresno area, and given the over-drafted condition of the Kings Subbasin together with the North Kings GSA's legal mandate to restore over-drafted basins by 2040, it seems more than likely that the Kings Subbasin will experience changes that would not be in the DEIR's favor. The DEIR simply has not shown that water

supply will be adequate for the Project to the buildout date of 2050, or even to the date most discussed in the Water Technical Study, 2035. The DEIR is both procedurally and substantively deficient as to water supply, and it should be revised and recirculated.

F. The Final EIR Must Respond in Writing to Comments Made on the NOP.

When the Notice of Preparation (NOP) was circulated for the SEDA project, you received various letter regarding the scope of the EIR. We request that you respond to each of these NOP comment letters as if they were a comment on the Draft EIR, especially the letters of the California Department of Fish and Wildlife and the California Department of Conservation.

Additionally, we specifically incorporate by reference the letter of Leadership Counsel for Justice and Accountability, CCEJN, Fresno Building Healthy Communities, and Fresno Barrios Unidos dated March 25, 2022. (https://www.fresno.gov/wp-content/uploads/2023/07/Appendix-A-EIR-Noticing-and-Public-Involvement-COMBINED.pdf, p. 70.) This letter rightfully comments as follows; we request that you respond to each of these points and every other point made in this letter:

First, given the significance of the SEDA to the future development of Southeast Fresno communities, it is of the utmost importance that the City proactively and meaningfully engage residents within and around the planning area. This means that the City must incorporate residents' input into the SEDA and EIR by revising land use designations to include community-led development like higher density housing, green space, affordable commercial and residential spaces, and so on. It must also have policies and implementation measures for active investment into Southeast Fresno neighborhoods by businesses and the City alike in essential infrastructure, services, amenities, and community greening. To do less is to perpetuate the long-held City practice of denying Southeast Fresno residents their rights to shape the future of their neighborhoods and access to opportunity on the same terms as other Fresno residents.

Below you will find additional comments in response to the Notice of Preparation:

> I. The Proposed Land Use Map is Inconsistent with Local and State Climate, Housing, and Transportation Goals and Policies to Build Equitable Climate Resilient Communities

As previously noted, it is unclear and of significant concern to what extent authentic public participation took place during this process from over a decade ago. The former process took place at the tail end of the housing bubble when building single-family homes in the outskirts of the city limits was the priority and norm. This type of "leapfrog" development remains reflected in the SEDA land use map as a large portion of the 9,000 acres is zoned for low-density single-family housing. This is inconsistent with the current climate, housing, and transportation goals that aim to build communities with a variety of development and density to make them accessible to various incomes and for communities to get around by alternative modes of transportation.

Further, the second-largest land use is zoned for flexible research and development, which leaves space for more light industrial use, further industrializing south Fresno BIPOC communities. This current process is in stark contrast with other specific plans prepared and adopted by the City in recent years, which have emphasized resident self-determination in shaping their built environment, planning for complete and healthy communities, smart growth-promoting land use compatibility, and investment strategies and implementation measures designed to bring those plans' vision to life. The City must not proceed with its efforts to further cement unjust and exclusive land-use patterns in City planning practices.

Fourteen years later, we have learned that this growth pattern is economically and environmentally unsustainable as the City now struggles to balance the need to build out the infrastructure and maintain public services in these communities while attending to decades of deferred maintenance in established neighborhoods. This is reflected in the 2015 General Plan praised for limiting unsustainable sprawl growth and focusing on efficient infill development.

(Letter of Groups, pp. 1-2, available at https://www.fresno.gov/wp-content/uploads/2023/07/Appendix-A-EIR-Noticing-and-Public-Involvement-COMBINED.pdf, pp. 70 et seq of PDF.)

Conclusion.

The DEIR must be revised and circulated properly to the public and to public agencies.

Thank you for your consideration of these comments.

Sincerely,

Douglas P. Carstens

Michelle Black



August 28, 2023

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

Sent by email: adrienne.asadoorian@fresno.gov

RE: Public Comment on Southeast Development Area Plan and draft Program Environmental Impact Report

Dear Ms. Asadoorian:

On behalf of the Fresno Madera Tulare and Kings Counties Central Labor Council, the Central Valley IAF, and Regenerate California Innovation (RCI), please incorporate the following comments regarding the City's Southeast Development Area Specific Plan and draft Program Environmental Impact Report into the record of this matter.

The Southeast Development Area Plan and draft Program Environmental Impact Report (PEIR) are not ready for public discussion, let alone Council action.

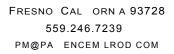
There are great gaps and fatal flaws in the Plan and the draft PEIR — missing information that will be essential to a fiscally, politically, and environmentally responsible decision about this project. These flaws and gaps are all correctible, but they will require additional time, attention, and analysis. It is far more appropriate that the SEDA plan be considered, and evaluated, in the context of the City's next General Plan update.

Vital but unanswered questions at this point include:

Who pays for infrastructure, and how?

SEDA infrastructure (at 2022 prices) has been estimated to cost somewhere between \$1 and \$2 billion. But either the SEDA infrastructure assessment has not been completed¹, or has not been made public: it is definitely not in the Plan or in the draft PEIR.

¹ This despite the fact its preparation was among the deliverables in FirstCarbon Solutions' scope of work: see, Consultant Service Agreement between City of Fresno (City) and FirstCarbon Solutions (Consultant), Southeast Development Area Specific Plan, executed November 4, 2020, Exhibit A, Attachment A: Scope of Services, Subtask 1.1.2, and Task 2.



985 NOR H VAN NESS AVENUE



In fact, the Plan includes neither the infrastructure finance plan², nor the fiscal nexus study³, nor the fiscal impact analysis⁴, needed to ensure adequate resources to cover this billion-ish infrastructure price tag.

The City itself has admitted as much: its 2020 application to the California Department of Housing and Community Development (HCD) for a \$625,000 SEDA planning grant acknowledged that "an infrastructure assessment, and a fiscal nexus study *must be completed prior to adoption.*" [emphasis added.] That was, and remains, true: approval of the Plan and PEIR without these crucial components would be foolhardy and premature.

Especially pertinent to the fiscal wisdom of City investment in SEDA infrastructure: the Consultant Service Agreement required a Qualitative Fiscal Review, but no such review has been made public. Such a review would clarify "whether or not the existing targeted tax sharing parameters will remain feasible with the development of the SEDA Specific Plan."

Given that the existing City/County 32%/68% tax-sharing agreement is extremely disadvantageous to the City, and that efforts to persuade the County to a more equitable division of revenues have reportedly been stalled for many, many months and show no promise of reviving, it is vital that the public and the City Council be fully apprised of the fiscal hole the City digs for itself when it dumps money into annexation-area investments such as SEDA. The Council must have this information before deciding whether to greenlight SEDA planning at this time.

The draft PEIR promises⁷ that the Plan will provide "self-financing for the development and ongoing maintenance of the SEDA that does not reduce City of Fresno resources dedicated to other areas of the City or burden Fresno residents outside of the SEDA." This commitment to private financing is consistent with the City's draft 6th Cycle Housing Element, which insists that any growth in low-priority development areas (including SEDA) "would require all infrastructure costs to be borne by the new development."

However, the draft PEIR then contradicts itself, asserting later in the document that infrastructure costs will be "funded through a **combination** of public and private funding." If the idea is to commit *any* public funding to SEDA's infrastructure, the City must calculate

² Also a deliverable per the November 2020 Consultant Service Agreement, id. at Subtask 1.1.3 – 1.1.7.

³ Also a deliverable per the November 2020 Consultant Service Agreement, *id.* at Subtask 1.1.8 – 1.1.9.

⁴ The City Council in 2020 approved a budget of \$215,000 for a Fiscal Impact Analysis and interactive modeling tool to analyze the various impacts on the City's general fund of infill and greenfield projects in the context of its General Plan. (See, June 18, 2021, Agreement for Consultant Services between City of Fresno and Economic & Planning Systems, Proposed Work Program.) On information and belief, that analysis and tool were designed for large-scale projects such as SEDA, have been completed and are suitable for application to the SEDA project, and have already been usefully applied to at least one similarly large-scale Specific Plan. However, with respect to SEDA, the City has either not requested that analysis, or has not disclosed its conclusions.

⁵ Fresno City SB 2 Planning Grants Application, Section E, Project Description, p. 6.

⁶ November 2020 Consultant Service Agreement, id. at Task 1.2.

⁷ SEDA draft PEIR, p. ES-2.

⁸ Fresno Multi-Jurisdictional Housing Element | July 2023, p. 1E-3-81.

⁹ SEDA draft PEIR, p. 2-3.

those costs (including, for example, debt service on bonds), develop a plan to pay for them, and make those costs and payment structures public well before plan adoption.

The City admits that it has such documents, but refuses to make them public, claiming (without evidence) that they are "privileged," and that the public interest in keeping them secret outweighs the public interest in disclosing them, because the studies are "ongoing," and disclosure of cost estimates would provide "incomplete information."

We are informed and believe and on that basis assert that the City is in possession of its departments' and consultants' best and final estimates of projected infrastructure costs. Of necessity these costs will be *estimates*, since they involve projections into the future; this does not make them "incomplete" or otherwise disqualify them as a basis for considering the adequacy of the SEDA plan and its EIR.

Moreover, both the California Environmental Quality Act and the Public Records Act require maximum disclosure of information the government holds. In this case, the very fact that the studies are incomplete (if they *are* incomplete) is of public interest. Whether the available numbers are "final" or not, the public, and the City Council, are entitled to know what information is available at this time on this vital question, to what extent and in what way(s) it is claimed to be "incomplete," what further studies or analyses still need to be conducted, and when that work will be completed.

These important questions of "how much?" and "who pays?"—to which the City itself offers conflicting answers right now—must be answered *before* the Plan can be approved. With such inadequate information, the City cannot legitimately make findings of overriding consideration that effectively commit us all to writing a blank check for likely unneeded and massively expensive new infrastructure investments in the SEDA area.

Will there be enough new Fresnans to populate SEDA?

The draft PEIR relies on old and inaccurate population growth figures, and therefore grossly overstates the actual increase in numbers of new Fresnans over the next three decades. (See Keith Bergthold's August 28, 2023 comment letter.) As a result, the Plan assumes a demand for housing, and associated infrastructure, that current, accurate population growth figures do not support.

Moreover, a recent study shows that, to the extent new residents *are* moving into Fresno from elsewhere, on average they are families with incomes *below* Fresno's median income:

"The data show that the inflow of residents to Fresno County are in households with lower incomes than the City and County averages, suggesting that in-migrants may be seeking a more affordable cost of living that is available in the county; these households thus increase the demand for housing that is at and below the median price in the Fresno market." ¹⁰

Since new Fresnans will be competing for existing *affordable* housing, they will not be creating demand for SEDA housing. Instead, we can expect the historical pattern in Fresno to be also true for SEDA: new housing developments drive internal migration within the city rather than drawing new residents from other areas. That dynamic, in turn, lowers property values in existing neighborhoods, as homeowners relocate to a newer fringe

¹⁰ See, <u>Fresno Urban Decay Analysis</u>, Economic Decay: Migration (source: Internal Revenue Service).

development; blight and physical decay reliably follow.¹¹

• Will SEDA meet the housing needs of Fresnans who already live here?

The Plan itself does not commit to any particular number of homes at any particular price point; nor does it require as a mitigation measure that developers build so as to ensure any proportion of affordable-to-market-rate homes. But based on the SEDA proposed zoning map¹², and on the City's application for the SEDA planning grant¹³, the SEDA Plan anticipates at most 9,000 *potentially* affordable multifamily units¹⁴ and 35,200 single-family units.

As it happens, the City's own One Fresno Housing Strategy acknowledges that the City's pressing needs are *not* for the single-family market rate housing SEDA will supply, but for housing affordable to low-income residents: "Historic poor land use planning, inequitable fair housing practices and the basic imbalance of supply and demand have all led Fresno to its current state of needing approximately 15,000 new and converted affordable housing units between now and 2025 to meet our residents' needs." One Fresno Housing Strategy, April 2022, Mayor's Message, p. 2.

The One Fresno Housing Strategy makes clear that "Fresno needs 21,001 units for households who can afford no more than \$500 on monthly housing costs," and "the City of Fresno has a glut of 28,310 single-family detached units over and above what Fresno households need based on household size." *Id.* at p. 38. These are not housing needs that SEDA's 35,200 additional single-family market rate homes will meet.

The City's own quantified assessment of Fresno's housing needs¹⁵ over most of the next decade shows more than adequate inventory for that new housing; not a single parcel from SEDA is needed to meet those goals.¹⁶

¹¹ "The city has seen various changes to population density over the past 50 years, indicating a shift in residential patterns. Outmigration in established centers perpetuates economic decay through a decline in support for commercial services." *Id.*, Economic Decay: Population Density (source: Community Survey and Decennial US Census).

¹² Southeast Development Area Specific Plan, Map 2.5 – SEDA Proposed Land Use, p. 22.

¹³ Fresno City SB 2 Planning Grants Application, Section E, Project Description, p. 6.

¹⁴ Based on HCD's zoning standard of at least 16 units per acre (see, <u>HCD By-Right Program Minimum Densities Table</u>). However, density standards are only a rough proxy for affordability; at this point — since the PEIR includes no enforceable mitigation measures imposed as conditions of entitlement—it is possible that not a single unit to be built in SEDA will be affordable to low-income families.

¹⁵ See, FRESNO MULTI-JURISDICTIONAL HOUSING ELEMENT, July 2023: Figure 1E-2.2 Sites Inventory, Fresno 2023, p. 1E-2-33; and Table 1E-1.1, Summary of Quantified Objectives, 2023-2031, p. 1E-1-35.

¹⁶ The SEDA PEIR admits as much at p. 2-1: "While there is still ample residential capacity within the current city limits and in Growth Area I (which includes the Southwest Fresno and the West Area Neighborhoods Specific Plan areas), there is a sense of urgency about the current housing crisis and the City's ability to provide housing for the existing population and its natural growth as well as the unanticipated in-migration occurring at this time." The PEIR includes no evidence justifying this supposed "urgency," and California Department of Finance population growth figures flatly contradict it. Moreover, they do not reflect any "unanticipated in-migration occurring at this time," and the EIR offers

The SEDA Specific Plan's claim that "the acceleration of the current housing crisis has created a 'substantial shortage' of homes and therefore prioritized completion of the SEDA Plan"¹⁷ is demonstrably untrue. This claim cannot therefore be the basis for legitimate, evidence-based findings of overriding consideration.

• The PEIR fails to use reasonably available tools

In preparing the PEIR, the consultants have failed to use readily available analytic tools to assess SEDA's air quality, transportation, human health impacts¹⁸, and fiscal impacts¹⁹, among others.

Certification of this draft PEIR's many conclusory statements, unsupported by scientific or objective data, would constitute an abuse of discretion.

• Impact numbers are just wrong, or missing

Internal trip capture is overstated

The PEIR must correct the counterfactual assumptions it makes about internal trip capture within SEDA. Professionally adequate analysis would recognize that only *second-generation* SEDA residents will be able to work, go to school, shop, and recreate within SEDA's boundaries to the extent claimed, since commercial and employment centers will lag a decade or two behind housing development and occupancy. This serious analytic error in turn generates drastically underestimated traffic impacts, which in turn results in material undercounting of air quality impacts, which in turn would invalidate any human health impact analysis based on these data, if such an analysis had been done.

The draft PEIR must include ozone calculations

The draft PEIR's Air Pollution Description and Health Effects discussion (at pp. 3.3-11 – 3.3-31) lists criterion pollutants, generally describes their adverse effects on human health, and identifies the regulatory programs intended to curb air pollution, including (3.3-23 – 24) the ozone reduction/prevention plans for the San Joaquin Valley Air Basin nonattainment area. There is no discussion of the human health impacts of the additional pollution load this project contributes to Fresno's already-dirty air.

The PEIR does not calculate the anticipated parts per million (ppm) of ozone resulting from SEDA construction and operations; although NOx and ROG are estimated, the reader has no idea how much ozone will be produced (i.e., whether the amount of ozone resulting from the ROG and NOx pollution will bring the ozone ppm within the 0.10 to 0.40 range). Given that the measures for both exceed the thresholds of significance, this omission renders the draft PEIR's air quality analysis inadequate. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 520.

The ozone discussion must, of course do more than calculate the NO_x + ROG figure but must also factor in the rising temperatures actually being experienced and expected to

no evidence in support of this apparently fictitious phenomenon.

¹⁷ Draft SEDA Specific Plan, p. 9.

¹⁸ See, e.g., tools referenced at SJVAPCD's 2015 Plan for the 1997 PM2.5 Standard, Chapter 3: Health Impacts and the Health Risk Reduction Strategy, p. 3-20.

¹⁹ See fn. 4, supra.

increase over the project implementation period. See SJVAPCD Redesignation Request, Appendix B: Analysis of Meteorology Affecting Ozone Levels, p. B-8:

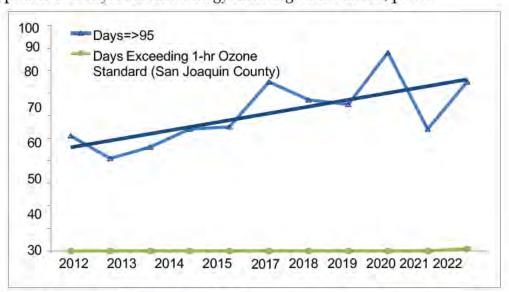


Figure B-7 Number of Days per Year with High Temperatures $\geq 95^{\circ}$ F at Stockton Airport (May-October) and Days Exceeding the 1-hour Ozone NAAQS (2012-2022)

As importantly, ozone calculations must be based on an accurate VMT figure derived from realistic, evidence-based VMT projections that correct for the excessively optimistic internal trip capture assumptions of this Draft PEIR.

The draft PEIR must include a human health impact analysis

The PEIR fails to include an analysis that correlates the project's emissions of air pollutants to its impacts on human health, rendering the draft PEIR's air quality analysis inadequate. Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, at pp. 517-520.

Because ozone is not confined to the site where it is generated, piecemealing human health impact analyses on a development-by-development basis, as the draft PEIR proposes, both grossly understates the health impacts, and makes their mitigation almost impossible.

Moreover, the draft PEIR deliberately misleads the public and decision makers about the seriousness of the air quality impacts SEDA will create, by discussing ROG separately from NOx, and asserting that "direct exposure to ROG would not ... result in health effects." See, p. 3.3-58. There is no mention of the toxic cocktail that ROG creates when it combines with NO_x in the heat of a Central Valley summer afternoon. But ozone's effects on humans, especially children, are not trivial:

SJVAPCD describes ozone impacts in its Community Emission Reduction Program approved for SEDA-adjacent South Central Fresno²⁰: "Breathing ozone can trigger a variety of health problems, including chest pain, coughing, throat irritation, and congestion. It can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. Children are at a greater risk of experiencing negative health impacts because their lungs are still developing and they are more likely to be active outdoors when ozone levels are high, thus increasing their

²⁰ http://community.valleyair.org/selected-communities/south-central-fresno

exposure. Studies have linked rising hospital admissions and emergency room visits to higher ozone levels." Appendix G: Health Impacts of Air Pollution, p. G-17.

Fresno State University's Central Valley Health Policy Institute studied emergency room and hospital admissions in Fresno, Bakersfield, and Modesto on a daily basis for selected conditions, such as asthma and acute myocardial infarction (MI), that had been previously linked to air pollution in other studies. They determined that ozone was strongly linked to increased risk for asthma ER visits in children during the hottest summer months. Moreover, asthma ER admissions are also strongly linked to increasing PM2.5 across the Valley, with a higher risk in children. Further, risk for asthma hospitalizations increased dramatically with PM2.5 in children and adults across the region. A moderate increase in risk of acute MI (heart attack) was also linked to PM2.5 levels regionally, as were pneumonia ER visits in children and acute bronchitis ER visits in adults.²¹

Water impacts are egregiously underestimated

It appears the City has not factored drought conditions or climate change projections into its water supply sustainability calculations. Figure ES-2, Projected Water Supplies²², shows an increase of almost 21,000 AFY in available groundwater between 2025 and 2045, plus another 6,500 AFY increase in surface water over the same period.

However, the draft PEIR recognizes that across California, climate change will result in a "reduction in the quality and supply of water from the Sierra snowpack," ²³ a source on which the City of Fresno is heavily reliant for both surface water and groundwater recharge. The Draft PEIR reports that by 2050, such impacts in the Fresno area will reduce the average water supply from snowpack to two-thirds historical levels, and "If emissions reductions do not occur, water from snowpack could fall to less than one-third of historical levels by 2100."²⁴

Not only are these concerns not discussed in the Plan or the draft PEIR, but they are explicitly minimized in the discussion of hydrology and water quality. There, the PEIR proposes a cheerful water outlook, repeating in multiple places the phrases "during normal water years" and "assuming groundwater characteristics are not altered due to climatic events or regulatory influences from SGMA."²⁵ These are objectively unreasonable assumptions, but there is no discussion of a fallback position in the (likely) event the PEIR's sunny projections are inaccurate.

Mitigations for hydrology impacts are ill-considered; City taxpayers will bear the cost

Not only are the projections unreasonably optimistic, but this is yet another place where the City's failure to do the program-level work of infrastructure planning, accurate environmental assessment, and imposition of mandatory, system-wide, coordinated

²¹ Capitman & Tyner, *The Impacts of Short-Term Changes in Air Quality on Emergency Room and Hospital Use in California's San Joaquin Valley*, California State University, Fresno, June 2011.

²² Draft PEIR, Appx. F, p. ES-7.

²³ Draft PEIR, p. 3.8-9.

²⁴ *Id.*, p. 3.8-10.

²⁵ *Id.*, p. 3.10-40.

mitigation measures predictably exacerbates environmental impacts.

Mitigation measures HYD-2b and HYD-2c require the City to refuse to approve proposed SEDA developments that would exceed "existing water supply capacity," and to "secure additional water supplies by securing additional water sources" prior to any such development approvals. This post-facto proposed mitigation—the costs of which are scheduled to be borne by City taxpayers and not by SEDA's developers or ultimate residents—is far inferior to plan-level mitigations prescribed in the Program EIR.

But to achieve plan-level efficiencies and effectiveness, the draft PEIR would have to include the information in the "pending" SEDA Public Facilities Financing Plan (no due date disclosed) and/or "EIR-related water infrastructure planning tasks" (whatever those may be)²⁶. Apparently this vital information will be developed after SEDA approvals.

• The PEIR is inconsistent with other public planning documents

Air quality attainment status

The draft PEIR's air quality impact analysis is inconsistent with the San Joaquin Valley Air Pollution Control District's "Proposed 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard" (SJVAPCD Redesignation Request) adopted by the Air District Board on June 15, 2023.²⁷ That document is intended to persuade the federal Environmental Protection Agency to terminate anti-backsliding provisions for the revoked 1-hour ozone standard, including Section 185 nonattainment fees. Toward that end, the document includes both proofs of compliance and a maintenance plan. It clearly does not factor in the ozone contributions SEDA would make to the Valley's pollution load.

Specifically, SJVAPCD's Redesignation Request, Appendix A: Emissions Inventory (pp. A-1 through A-4), projects annual anticipated pollution levels for NOx through 2036. A layperson—including a member of the public, the Planning Commission, or the City Council—must be confounded comparing the Air District's all-Valley numbers in identified years to the numbers this project alone will generate.

Year	Entire San Joaquin Valley, per SJVAPCD ²⁸	SEDA, per PEIR	SEDA % increase over total SJV
2026	119.50	180.529	151.07%
2031	97.49	170.8218	175.22%
2036	84.13	168.2333	199.97%

NO_x – summer average in tons/day

²⁶ SEDA Specific Plan, pp. 100-109, passim.

²⁷ See, SJVAPCD <u>2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard</u> — see https://www2.valleyair.org/rules-and-planning/air-quality-plans/ozone-plans/.

²⁸ SJVAPCD Proposed 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard, Appendix A: Emissions Inventory, p. A-4. The document provides changes in VOC over time and does not sum up ROG separately; it will therefore be important for an adequate SEDA ozone analysis to determine, and to include as a point of comparison, how SEDA ROG emissions will compare to regionwide ROG production during the identified years, in order to report accurately the extent to which SEDA will impede achievement of regionwide air quality improvement goals.

This chart illustrates the huge impact of SEDA on Valley air quality: by 2036, SEDA alone is projected to produce double the amount of NO_x being produced *across the entire rest of the San Joaquin Valley*.

The PEIR must acknowledge these data, explain them in the context of the SEDA proposal, and provide fact-based analysis of the proposal's air quality impacts that take these data into account. The draft PEIR's passing confession that "Emissions of VOC and NO_X that exceed the Valley Air District regional threshold would cumulatively contribute to the ozone nonattainment designation of the SJVAB" (p. 3.3-56) is inadequate. Exceedances at this scale require some effort beyond falling back on General Plan mitigation measures that never anticipated impacts of this scale.

2035 General Plan

The Draft PEIR is inconsistent with the City's 2035 General Plan. Although the draft PEIR claims that construction of the 45,000 new SEDA dwelling units by 2050 "would be considered planned growth" consistent with the vision of the 2035 General Plan (SEDA draft PEIR, p. 3.14-13), the Draft PEIR fails to acknowledge that the General Plan's proposed growth trajectory puts SEDA development in third place, after Development Areas 1 and 2.29 To allow SEDA to jump the line into first place is *not* how the City has planned its growth; such reorganizing of development priorities is inconsistent with the General Plan, and creates significant adverse fiscal and environmental consequences for the City and its existing neighborhoods that the General Plan specifically strives to avoid by its new-growth priorities hierarchy.

Moreover, accurate population projections contradict the draft PEIR's claim that "full buildout of the proposed project would...provide housing to meet the demand for new residential units."

Housing element

The draft PEIR is inconsistent with the City's draft Housing Element. The Draft PEIR uses outdated Regional Housing Needs numbers from the 2015-2023 cycle, rather than current 2023-2031 numbers already available and cited in the City's own proposed 6th Cycle Housing Element.

More importantly, it undermines the Housing Element's corrective approach to decades of poor planning. Fresno's 6th cycle draft Housing Element acknowledges that "growth in the City of Fresno over the past few decades has traditionally been low density suburban development, which has resulted in conditions of sprawl in various areas of the city." Fresno Multi-Jurisdictional Housing Element July 2023, Appendix 1E: City of Fresno, 1E-4-1.

The Housing Element therefore proposes to fill a perennial critical gap in the City's capacity to provide and upgrade housing in legacy neighborhoods: "As part of the implementation of the Housing Element, programs are identified to upgrade the city's infrastructure as needed in low- and moderate-income neighborhoods with the greatest needs. Priority for infrastructure projects will be given to serving established neighborhoods, including generally south of Herndon Avenue as shown in Figure 1E-3.36: Priority Areas for Development Incentives, along BRT and enhanced transit corridors, and in the Downtown Planning Area, consistent with General Plan policies." Housing Element, 1E-3-81 [emphasis

²⁹ Housing Element, Figure 1E-3.37, which shows Growth Area 2 to include SEDA, labeled "DA-3."

added].

A City decision to invest \$1 billion in SEDA infrastructure is inconsistent with the Housing Element's commitment to correct the City's history of neglecting older neighborhoods. In the zero-sum game of municipal finance, and especially in the absence of a SEDA infrastructure financing plan, there is no way to ensure adequate resources to fund "Priority Investments in Established Neighborhoods" as already identified in the General Plan³⁰. Committing now to massively expensive infrastructure <u>not</u> needed for new housing directly conflicts with the General Plan by privileging new growth over strengthening established neighborhoods. In addition, it foreseeably, substantially, contributes to physical blight and decay, with resulting economic decline, in all non-SEDA areas of the City³¹.

Again, consistently with the General Plan, the 6th Cycle Housing Element inventory does not identify parcels in SEDA as necessary to meet Regional Housing Needs between now and 2031. See, Figure 1E-3.39 at p. 1E-3-82. Instead, the Housing Element identifies SEDA as Development Area 3, as does the General Plan—the last in priority for development on the fringe areas. See, Housing Element, Figure 1E-3.37, which shows Growth Area 2 to include SEDA, labeled "DA-3" for Development Area 3. "Growth Area 2 has significantly less access to completed infrastructure. Any development in these areas would require all infrastructure costs to be borne by the new development." 1E-3-81.

City of Fresno Greenhouse Gas Reduction Plan

By 2035, SEDA's own carbon dioxide emissions per year (510,000 tons) will almost equal the reduction to which the City committed in its 2021 Greenhouse Gas Reduction Plan (559,000 tons annually).

The draft PEIR fails to itemize or quantify the benefits of the theoretic mitigation measures it mentions. As with transportation impacts, the decision to urbanize 9,000 rural acres 10 miles from the nearest urban center makes it very difficult to achieve efficiencies in energy use and transportation emissions, requiring a higher level of effort and analysis to achieve measurable mitigations.

The fact that the task of mitigation is complicated does not relieve the City of its obligation to seriously consider feasible mitigation measures, and to make them mandatory conditions of entitlement for any development in the SEDA. This it has failed to do.

The PEIR piecemeals assessments of environmental impacts, and mitigations

The City's 2020 application to HCD for the SEDA planning grant committed to project streamlining as one of the SEDA plan's deliverables by incorporating "environmental analyses that eliminate the need for project-specific review." This makes sense, in light of the City's claim that it needs SEDA in order to expedite thousands of urgently needed new homes.

If the City *had* conducted those environmental analyses it promised to do, it would have been able to keep another of the promises it made to HCD: a Program EIR under which "future development will also utilize an expanded exemption under Government Code

³⁰ See summary in June 2023 draft Housing Element, p. 1E-3-80.

³¹ See, Fresno Urban Decay Analysis, ECONorthwest, 2023.

³² Fresno City SB 2 Planning Grants Application, Section D, Proposed Activities Checklist, item 3, p. 5.

Section 65457 that will apply to certain residential, commercial, and mixed-use projects that are consistent with a specific plan adopted pursuant to Government Code, Article 8, Chapter 3 and would be exempt from CEQA."³³

The Plan pays lip service to streamlining, promising "Fiscal Responsibility" by "holistically coordinat[ing] infrastructure to integrate efficiencies that piecemeal planning cannot," and otherwise coordinating systems and networks for efficiency and economy.³⁴

But the Plan and the draft PEIR fail so utterly to provide either plan-scale impact analysis or plan-scale mitigation measures that the draft PEIR itself repeatedly prescribes both environmental assessment and imposition of mitigation measures only during the City's approval process for subsequent discretionary projects within the SEDA footprint—for air quality impacts, transportation impacts, water supply impacts, etc. That is, the City will need to subject every new project to environmental review in order to determine if its impacts are potentially significant, and what mitigation measures should be imposed—exactly the process streamlining is intended to avoid.

Statements by City officials in recent days make this only too clear, most explicitly from City spokesman Brandon Johansen, whose email to a reporter admitted "As individual projects are filed within the Southeast Development Area, they will be evaluated under CEQA to determine project impacts and mitigation measures." Planning Director Jennifer Clark listed "some follow up things that will need to occur, including the impact fees, and the financing plan for the infrastructure."

Obviously, this approach makes streamlining impossible (unless the idea is to use the PEIR to evade environmental review and mitigation for follow-on projects, which has been known to happen in Fresno). Absent streamlining, the City cannot accomplish its claimed goal of expediting housing production.

As importantly, this approach renders impossible "holistic coordination of infrastructure to integrate efficiencies that piecemeal planning cannot," much less creating systems and networks for efficiency and economy.

Finally, a project-by-project evaluation of air quality, water supply, and transportation impacts makes effective mitigation of SEDA's large-scale environmental degradations illusory at best. A 9,000-acre project area, planted at such a remove from the city's center, requires creative and transformative approaches to the environmental consequences of its placement and its population. Piecemealing precludes effective mitigation.

These are all good reasons to put SEDA on hold until adequate environmental analysis, and especially real mitigation measures, can be incorporated into the draft PEIR.

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³³ SB 2 Planning Grants Application, Section E, Project Description.

³⁴ Draft PEIR at p. ES-2.

³⁵ Greg Weaver, Another Clovis, but in southeast Fresno? City moves forward on mega-development plans, *Fresnoland*, August 25, 2023; https://fresnoland.org/2023/08/25/city-of-fresno-eyes-seda/; accessed August 27, 2023.

³⁶ *Ibid*.

• Mitigation measures are inadequate at best

The draft PEIR fails to propose mitigation measures that will have <u>any</u> mitigating effect on air quality impacts, although many tools and other resources are available for this purpose. The PEIR takes the position that plan-scale mitigations are infeasible, but this is inaccurate: the City's own 2020 VMT threshold guidelines document provides multiple mitigation options for community and general plans³⁷. It is objectively unreasonable, and an invitation to piecemealing that will defeat the whole purpose of a mitigation program, to suggest that it is impossible to impose plan-scale mitigation measures as enforceable conditions of development in SEDA.

The draft PEIR falsely claims that it has adequately canvassed and incorporated available air quality mitigation measures, but that "due to the magnitude of emissions generated by the residential, office, and commercial land uses proposed as part of the proposed project, no mitigation measures are available that would reduce cumulative impacts below the Valley Air District's thresholds." That the PEIR cannot find measures to reduce (for example) 2026 NO_x emissions from 180 tons per year to 10 does not mean there are *no* possible mitigations that would reduce NOx emissions to (for example) 50: "Mitigation measures need not include precise quantitative performance standards, but they must be at least partially effective, even if they cannot mitigate significant impacts to less than significant levels." *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404; §§ 21051, 21100; Guidelines, § 15370. It is not an option in 2023 to effectively abandon the effort, when air pollution from this project would so massively exceed the entire total NO_x output for the rest of the San Joaquin Valley, creating avoidable illness and death, and torpedoing City efforts to reduce climate change impacts.

Moreover, the draft PEIR does not sufficiently account for its lack of specificity by assurances that a "Health Risk Assessment" (HRA) will be prepared later in the CEQA process, in connection with development-specific EIRs. (See, e.g., MM Air 3.1, 3.2.) *Sierra Club v. County of Fresno*, supra, 6 Cal.5th at p. 521. For one thing, an HRA is required by the California Health & Safety Code, § 44306, only to evaluate and predict the dispersion of hazardous substances. Secondly, a project-specific HRA is inadequate for assessing planscale impacts or for devising plan-scale mitigation measures — the very purpose of a Program Environmental Impact Report, but not remotely achieved by the SEDA draft PEIR.

The draft PEIR also fails to propose mitigation measures that will significantly reduce transportation impacts. Although the project triples vehicle miles traveled to almost 1 million per day, mitigation measures are inadequate. For the first two decades of the project's operation, its transportation and consequent air quality impacts are huge, both as a result of the concept itself—a new city of 145,000 planted in rural Fresno, 10 miles from the city's urban center—and of an apparent determination to impose no mitigation that might inconvenience or cost SEDA developers and builders.

• There is plenty of time to fill in the missing information and analysis

There is no emergency requiring immediate approval of this development plan. The City's own draft Housing Element establishes that there is more than adequate site inventory in the City to accommodate anticipated housing demand for at least eight years. More

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³⁷ CEQA Guidelines for Vehicle Miles Traveled Thresholds, adopted June 25, 2020, City of Fresno; see, Appendix C, Vehicle Miles Traveled Mitigation Measures for Community Plans and General Plans. See also, SJVAPCD Emission Reduction Clean Air Measures – among many others.

importantly, adoption of this plan at this time will utterly defeat its claimed principal purpose, to facilitate streamlined housing production by anticipating and mitigating at a program scale the environmental impacts of such development.

Certainly within the next year, the City will be able to correct erroneous population projections and otherwise gather corrected data, use the correct tools to assess impacts, identify effective and enforceable plan-scale mitigations, and fully disclose those facts and analyses. Given the size and scale of the SEDA proposal, it may make most sense to roll its environmental assessment into the next General Plan update, which appears to be due in 2024.

Either way, as the situation now stands, it will be impossible for the City Council to make evidence-based findings that "specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment" (Public Resources Code, § 21081 (b)), or that the "unmitigated effects are outweighed by the project's benefits." (*Laurel Heights, supra*, 47 Cal.3d at p. 391.)

Please include my clients (see cc's, below) and me on the notification list for next steps in this process. Thanking you for your attention to these matters, I remain,

Very truly yours,

Patience Milrod

PATIENCE MILROD

Attorney for Central Valley IAF, Fresno Madera Tulare and Kings Counties Central Labor Council, and Regenerate California Innovation

cc: Dillon Savory, Fresno Madera Tulare and Kings Counties Central Labor Council, by email to dsavory@myunionworks.com

Keith Ford, Central Valley IAF, by email to theabsolutmoose@gmail.com

Keith Bergthold, Regenerate California Innovation (RCI), by email to keith@regenerateca.org

Jennifer Clark, Development Director, by email to Jennifer.Clark@fresno.gov

Sophia Pagoulatos, Manager of Long-Range Planning, by email to Sophia.Pagoulatos@fresno.gov

Andrew Janz, City Attorney, by email to Andrew.Janz@fresno.gov



CITY OF SANGER

1700 7TH STREET SANGER, CALIFORNIA 93657-2804 TELEPHONE: (559) 876-6300, Ext. 1520

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COMMUNITY DEVLEOPMENT DEPARTMENT

DAVID BRLETIC, DIRECTOR

August 28, 2023

City of Fresno Planning and Development Department Adrienne Asadoorian, Planner III 2600 Fresno Street, Room 3065 Fresno, CA 93721

RE: Notice of Availability of a Draft Program Environmental Impact Report (PEIR) for the Proposed Southeast Development Area (SEDA) Specific Plan Project

Dear Ms. Asadoorian:

The City of Sanger has reviewed the PEIR for the proposed SEDA Specific Plan. The project includes approximately 9,000 acres of residential, commercial, agricultural, and mixed-use opportunities for development to meet the growing needs of the area. The City of Sanger appreciates the opportunity to comment on the project.

The proposed project area is located approximately 2 miles west of the City of Sanger's Sphere of Influence (SOI) and City Limits. While outside of City of Sanger's review boundary, a project under CEQA addresses not only those impacts within the project area but cumulative impacts as well. A project of this magnitude being in close proximity to the City of Sanger has great potential to increase demand on City infrastructure, such as safety personnel and transportation infrastructure. The City encourages that the cumulative impacts regarding potential impacts on the City of Sanger be considered in the analysis.

The SOI acts as a tool for implementation of the City's General Plan and growth potential for the next 20 years. With housing demand fueling growth for the City, we are actively exploring ways to implement the General Plan through annexation programs with the Fresno Local Agency Formation Commission (LAFCo). As available land within the SOI for the City is reduced due to annexation and development, the City will seek expansions to the SOI to accommodate growth demand. We encourage and welcome open communication and coordination between neighboring communities so that proper and orderly development may proceed as the planning areas for the City of Sanger and Fresno become closer in proximity.

Mentioned above, the planning areas of the City of Sanger and Fresno have become closer in proximity. The City of Sanger is a community of many long-time residents who proudly associate their identity as such. When planning areas meet and distinguished boundaries become less recognizable, that feeling of identity may be challenged. The City wants to continue to maintain community identity.

We appreciate the opportunity to provide comments on the project from our perspective and welcome any communication between us that would facilitate our comments. If you have any questions regarding this matter, please contact David Brletic, Community Development Director at 559-876-6300, ext. 1520, or dbrletic@ci.sanger.ca.us.

Sincerely,

David Brletic

Danie Bretie

Community Development Director

CC: Greg Garner, Acting City Manager

Derek Sylvester, Senior Planner

From:
To:
Adrienne Asadoorian

Cc: District1; District2; District4; District5; District5; District7; District5@fresnocountyca.gov;

<u>District4@fresnocountyca.gov</u>; <u>Sophia Pagoulatos</u>; <u>"Dale Reitz"</u>

Subject: Comments on Draft Program EIR for Fresno Southeast Development Area Specific Plan Project - Comments by

Mark Reitz and Dale Reitz

Date: Saturday, August 19, 2023 6:48:24 PM

Attachments: SEDA Comments on Program EIR Reitz 8-19-2023.pdf

External Email: Use caution with links and attachments

We would like to congratulate and thank the city of Fresno for their work in preparing this significant document and moving towards adoption of a Specific Plan for the Southeast Development Area that has been discussed and anticipated since 2007. As long-time property owners of a family home and farm within this area for over 100 years at 1080 S. Temperance (east of Temperance between the Railroad and Church Avenues), we and our neighbors welcome the opportunity to provide input to this Plan, and hopefully provide local perspective to responsible growth and for the benefit of the city of Fresno for years to come.

The attached letter provides our comments and recommended changes to the Draft Program EIR related to adoption of the Land Use Plan for this Specific Plan.

We request that the **Consolidated Business Park Alternative (Alternative 2)**, be adopted as the preferred land use plan and the Specific Plan be adopted as such.

If you have any questions, you may contact us at the address and contact information below. Please provide acknowledgement that you received our letter.

Mark Reitz PE

Dale T. Reitz

From: Tom Lang

Adrienne Asadoorian To:

Cc:

<u>Aletha Lang; District 5; District 4@fresnocountyca.gov; District 3@fresnocountyca.gov; District 2@fresnocountyca.gov; District 1@fresnocountyca.gov; bspaunhurst@fresnocountyca.gov; District 1@fresnocountyca.gov; District 2@fresnocountyca.gov; District 2.gov; District 3.gov; District 3</u>

aolivas@fresnocountyca.gov

Subject: Comments regarding SEDA Specific Plan and Environmental Impact Report

Date: Tuesday, August 22, 2023 3:49:25 PM SEDA Letter Tom and Aletha Lang.pdf Attachments:

External Email: Use caution with links and attachments

Dear Adrienne Asadoorian, Planner, Fresno County Board of Supervisors, Staff and Commissioners of the Fresno Local Agency Formation Commission (LAFCo)

Please see our attached signed PDF comment letter in opposition for inclusion in the public comment section of the Environmental Impact Report for the City of Fresno's SEDA Specific Plan

Sincerely,

Tom and Aletha Lang



CENTER for BIOLOGICAL DIVERSITY

August 28, 2023

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

By Email: adrienne.asadoorian@fresno.gov

Re: Draft EIR, Southeast Development Area Specific Plan

Dear Ms. Asadoorian:

I am submitting the following comments on the Draft Environmental Impact Report (DEIR) for the Southeast Development Area (SEDA) Specific Plan on behalf of the Center for Biological Diversity. The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 87,000 members worldwide, including in the City of Fresno and surrounding areas.

The EIR Must Address the SEDA Specific Plan's Foreseeable GHG Impacts

The DEIR concludes that the Specific Plan will have a significant, unavoidable impact after mitigation due to its anticipated net operational greenhouse gas emissions, which, at buildout, are estimated at 510,791 metric tons of CO2 equivalents. No project-specific mitigation measures are proposed for this significant impact. The DEIR does propose that subsequent discretionary projects under the Specific Plan will be subject to General Plan PEIR Mitigation Measure MM GHG-1.1, which requires confirmation that projects are consistent with the City's 2021 GHG Reduction Plan Update and implementation of all measures deemed applicable through the GHG Reduction Plan Update Project Consistency Checklist.

The DEIR acknowledges that the Specific Plan is itself inconsistent with the GHG Reduction Plan Update. Individual projects under the Specific Plan will also be inconsistent with the GHG Reduction Plan Update. Merely applying the Project Consistency Checklist cannot make a project consistent with the GHG Reduction Plan Update, nor does applying the Checklist mitigate the foreseeable GHG impacts of the Specific Plan.

CEQA does not exempt specific plans from the requirement to adopt all feasible mitigation measures, nor does it relieve program EIRs from the requirement to evaluate feasible mitigation measures for the foreseeable environmental consequences of a specific plan. The DEIR concludes that there are no feasible project-specific mitigation measures, but none are

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considered. Despite this omission, there is a broad range of mitigation measures that can be adopted at the Specific Plan level to guide future development. A representative but non-exclusive list of such measures includes the following:

- Require onsite renewable energy generation (ideally rooftop solar or community solar) to meet all residential and commercial energy demand.
- Require all construction to exceed Title 24 Energy Efficiency Standards by 20% in light of the Specific Plan's extended buildout.
- Require installation of all-electric energy efficient appliances.
- Require use of high efficiency public street and area lighting.
- Increase transit accessibility and reach by providing transit incentives to construction
 personnel and future residents; build transit facilities during initial phase of build out;
 include reliable connections to existing public transit.
- Require pedestrian friendly measures including interconnecting street/pedestrian networks; narrower roadways and shorter block lengths; sidewalks; tree canopy for shade and transit shelters.
- Require traffic calming measures including marked crosswalks, curb extensions, raised crosswalks, roundabouts, and planter strips with native vegetation.
- Require a neighborhood electric vehicle network.
- Require bicycle-friendly designs including bike lanes, bike sharing programs, bike parking, and dedicated bike trails.

In addition, Appendix D of the California Air Resources Board's 2022 Scoping Plan Update provides a set of measures and criteria to achieve equitable reduction of GHG emissions, including:

- Utilizing existing infill sites that are surrounded by urban uses, and reuse or redevelop previously developed, underutilized land presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).
- Providing proximity to public transit (within $\frac{1}{2}$ mile).
- Ensuring that development does not result in the loss or conversion of the State's natural and working lands.
- Requiring installation of all electric appliances, without any gas connections for space heating, water heating, or indoor cooking.
- Making at least 20 percent of residential units affordable to lower-income residents.
- Ensuring no net loss of existing affordable units.
- Providing EV charging infrastructure at least in accordance with CalGreen Tier 2 standards.

While application of the GHG Reduction Plan Update Project Consistency Checklist may provide some comparable measures, the Checklist does not ensure that all feasible mitigation measures have been adopted. In addition, if these measures are not sufficient to mitigate the Specific Plan's anticipated GHG emissions to less than significant levels, additional mitigation is available in the form of GHG offsets achieved through the purchase of solar generation and

Draft EIR, Southeast Development Area Specific Plan August 28, 2023 Page 3

energy efficiency upgrades for local low-income residents and businesses. Only after these and other measures have been considered and fully evaluated can the City conclude that the Specific Plan will result in significant, unavoidable GHG impacts.

The DEIR improperly discounts the Specific Plan's anticipated GHG impacts from construction, stating (p. 3.8-44) that "Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change." The DEIR, however, projects that construction emissions will total more than 2.3 million metric tons of CO2 equivalents over 20 years, with average annual emissions of over 115,000 metric tons. There is no support for the DEIR's conclusion that "future development under the proposed project at construction would not result in significant adverse effects related to GHG emissions."

The DEIR should be revised and recirculated to evaluate feasible mitigation measures for the Specific Plan's foreseeable operational and construction GHG impacts.

The DEIR Does Not Adequately Address the Availability of Water for the Specific Plan

The DEIR concludes that the City's existing water supplies will be adequate to serve future development under the Specific Plan, which could include 45,000 new residential units by 2050, while still meeting existing demands (p. 3.18-66). Accordingly, the DEIR does not evaluate the Specific Plan's environmental consequences of obtaining new water sources, or its impacts on existing residents.

The DEIR's analysis considers potential water availability during wet, dry, and multiple dry years, but its conclusion assumes that the City's long-term average water supply obtained from surface water sources will remain relatively stable. According to Appendix F at p. 6-17 (Water Technical Study), the City's allocation of Fresno Irrigation District water diverted from Kings River is projected to remain at a steady percentage of the average Fresno Irrigation District deliveries between 1964 and 2019—453,800 acre-feet per year. This assumption is likely invalid in light of the foreseeable effects of climate change. Indeed, it is directly inconsistent with the acknowledgment elsewhere in the DEIR that "By 2050, the average water supply from snowpack is projected to decline to two-thirds from historical levels. If emissions reductions do not occur, water from snowpack could fall to less than one-third of historical levels by 2100."

If the anticipated decline in surface water supplies due to climate change are considered in the Specific Plan's water supply analysis, the Specific Plan's water demand is likely to result in a significant shortfall in water supplies. The DEIR should be revised and recirculated to address the foreseeable effects of climate change on water supply available for development pursuant to the Specific Plan.

The EIR Does Not Adequately Address the Specific Plan's Impacts to Swainson's Hawks

As the DEIR acknowledges, the Specific Plan would potentially result in approximately 5,000 acres of farmland being converted to urban uses. The EIR wholly fails, however, to address the

Draft EIR, Southeast Development Area Specific Plan August 28, 2023 Page 4

importance of these agricultural lands as nesting and foraging habitat for the Swainson's hawk, a highly migratory raptor species known to occur in the Specific Plan area. The Swainson's hawk is listed as a threatened species under the California Endangered Species Act. The DEIR does not disclose the potential impact to Swainson's hawks due to the loss of agricultural lands, nor does it evaluate potential mitigation measures for this impact. While the DEIR discusses measures to mitigate the loss of farmland, it does not address the value of the lost farmland to Swainson's hawks, and measures that may mitigate the agricultural impact will not necessarily address the biological impact. The DEIR should be revised and recirculated to fully disclose and mitigate the Specific Plan's impacts to Swainson's hawks.

Thank you for your consideration of these comments, and please add me to the notice lists for the Southeast Development Area Specific Plan and its EIR.

Sincerely,

John Buse Senior Counsel

Center for Biological Diversity

Via E-Mail only

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street, Third Floor, Room 3065 Fresno, California 93721



Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486"

Dear Ms. Asadoorian,

I contest Section 3.2 Agricultural Resources and Forest Resources for the following reasons:

- The mitigation plan, MM AG1.1, is unacceptable because it relies on the
 development of a Farmland Preservation Program by 2025. Since the plan is not in
 place, the environmental impact cannot be determined. Therefore, this plan must not
 be accepted until a plan is in place and can be adequately evaluated. Having the plan
 in place with clear requirements provides predictability of the environmental impact.
- 2. In reference to MM AG2, the City's General Plan Policy RC-9-c does not provide the sole legal basis for mitigation for the loss of farmland to urban development. As you are aware, the California Environmental Quality Act ("CEQA"), Pub. Res. Code 21000 et seq., requires agencies to analyze the significant environmental impacts of projects that they approve or carry out, and to mitigate those impacts, where feasible, to a less than significant level. The Legislature has declared that CEQA "plays an important role" in effectuating the important public policy of preserving agricultural lands within the state. Stats. 1993, ch. 812, 1, p.4428. Accordingly, CEQA's environmental analysis and mitigation requirements extend to farmland conversion. See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 733 (EIR deficient due to an inaccurate assessment of the amount of prime farmland to be converted as a direct result of the development project); Citizens for Open Government v City of Lodi (2012) 205 Cal. App. 4th 296, 320-22 (EIR found conversion of 40 acres of farmland a significant impact even after purchase of conservation easements at a 1:1 ratio). Impact AG-2, page 3.2-19 states there are "no feasible mitigation measures available" and that there is "significant and unavoidable impact." The is not acceptable under CEQA mandates and must be corrected.
- 3. The EIR inadequately summarized the total of farmland as 5,552 acres, page S22. When all 4 categories of farmland are added together it amounts to 6,750 acres. The SEDA plan states that the Level of Significance After Mitigation (MM AG-2) is Significant and unavoidable. The plan does not conserve any farmland. Alternative 3 would conserve 648.61 acres. This is not acceptable. Farmland conservation needs to be at least at a 1:1 ratio. Alternative 1 would have the least impact on conversion of

- farmland to housing. The SEDA plan, page S10, plans for 45,000 homes compared to 17,900 in the current plan (Alternate 1). Therefore, a large amount of farmland would not be converted to houses under the existing plan and the SEDA plan should be rejected. With the increase in this number of homes and residents, the number of jobs would only be increased from 29,600 to 37,000 jobs. This is unacceptable and will have an adverse on the environment of the planned area.
- 4. The City of Fresno's General Plan conceived of the development of SEDA in Growth Area II to occur after other infill initiatives, to give those time to gain momentum. The Project History in Appendix A of the EIR states "there is still ample residential capacity within the current city limits and in Growth Area I (which includes the Southwest Fresno and the West Area Neighborhoods Specific Plan areas)." Also refer to 2013-2031 Fresno County Multi-Jurisdictional Housing Element Appendix I-E Fresno. This mitigation measure has been completely ignored in the EIR and has not been addressed as a reasonable option. Therefore the SEDA plan must not be developed until the space within the current city limits and Growth Area I are utilized.
- 5. The plan has made no consideration at all for the social and economic impact on minority groups. A large number of Hmong and Southeast Asia descendants that farm in this area will lose their income and livelihood as their farms are converted to houses and non-agriculture industries. This is a social injustice and has to been addressed before this EIR can move forward.
- 6. There are no mitigation measures to conserve over 900 acres of agriculture land that is already within the Williamson Act. This is totally unacceptable under CEQA guidelines. This EIR cannot move forward until these lands are secured as agriculture land or mitigated at a 1:1 ratio.
- 7. The public comment received during the EIR scoping period asking for an assessment of the impacts that the plan will have on current and future agricultural operations has not been adequately addressed. (Stated on page 3.2-1) Housing, especially high density houses, is incompatible with farming. Mitigation measures in these situations have not been adequately described so a full environmental impact can be made. Planning for only organic farming in the area is not adequate as organic sprays appear to be the same as conventional pesticides approved by Environmental Protection Agency (EPA) and California Department of Pesticide Regulation. Therefore, to plan only for the use of organic pesticides will not provide home owners with peace of mind of safety.
- 8. Policy RC-5.2 Hazardous Materials. Prevent contamination of the groundwater table and surface water resources and discourage all pesticide use for agricultural and landscaping uses within the SEDA. This policy is outside the jurisdiction of the City of Fresno. The use of all pesticides for agricultural and landscaping is under the jurisdiction of the Federal EPA and California Department of Pesticide Regulation.

This policy is just another way to reduce the feasibility to farm in the SEDA plan area, forcing agriculture out so housing can be built without regard to preserving agriculture land. This policy is not consistent with CEQA's mandate to preserve agriculture land and reasonable measures must be shown how to mitigate hazardous materials in groundwater and surface water and still preserve agriculture land.

9. The measure to mitigate agricultural conversion, page 3.2-17 is stated as "To counter the effects of agricultural conversion, the Specific Plan includes a policy framework to support the integration of agriculture within the urban sphere. Programs that would be integrated into the Specific Plan may include school and neighborhood gardens, community orchards, agricultural education centers." This does not mitigate in any way the loss of agricultural land for production that feeds Fresno, California, and the United States. Community gardens are very limited in their production as well as their use. Limited plantings of nut and fruit trees are susceptible to pests, diseases and bird damage without adequate pest control measures and will be a liability. These plantings will become reservoirs for pests and invasive species that could destroy all commercial agriculture in the San Joaquin Valley of California. Therefore, these measures are inadequate to satisfy CEQA mandates for preservation of farmland.

Based on these reasons, the Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 should not be accepted.

Please send me notices of any future hearing dates as well as any staff reports pertaining to this project.

Very truly yours. Dr. David Kamming

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Retired Research Horticulturist, USDA/ARS

SEDA area property owner

Member Southeast Property Owner's Association

Cc: Sophia Pagoulatos, Planning Manager

Via E-Mail only

City of Fresno c/o Adrienne Asadooriau, Planner 2600 Fresno Street, Third Floor, Room 3065 Fresno, California 93721



Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486"

Dear Ms. Asadoorian,

I contest Section 3.10 Hydrology and Water Quality for the following reasons:

- Impact HYD-2: states "The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin." The mitigation measure MM HYD-2d has not been adequately demonstrated in showing that the existing groundwater recharge facilities have produced adequate infiltration into the underground aquifers. Gallons of water input is shown but the real results would be revealed by the change in groundwater table near the basins. Therefore, inadequate information is available to adequately assess the impact these basins are having. In addition, no studies are provided that show what the infiltration rate of proposed groundwater facilities in the SEDA area would be. The Fresno Irrigation District is building all its groundwater recharge facilities on the west side of its district as they feel the east side is less effective for groundwater recharge facilities. The United States Department of Agriculture, Agricultural Research Service, Stainable Agricultural Water Systems Research laboratory at Davis, CA should be contacted and methodology they have developed be used to verify that the proposed sites for groundwater recharge facilities are indeed adequate to mitigate the overdraft of the North Kings Groundwater Basin. Even with the infiltration rate determined, these recharge facilities are only functional when adequate water is available in "wet" rainfall years. Therefore, they are only adequate part of the time. Data is lacking and needs to be developed to show how many recharge facilities would be needed on an average during wet and dry rainfall years to have no significant impact on the groundwater levels.
- 2. MM HYD-2c:States "Prior to exceeding existing water demands, the City shall pursue the provision of adequate water supplies by securing additional water sources and shall not approve development per the Specific Plan for the Plan Area until additional water supply is provided." The city of Fresno is already using nearly all its allocation of surface water from the Fresno Irrigation District (FID). The only way the city of Fresno can obtain additional water is by taking it away from other recipients. Agriculture is the main recipient of water from FID and reducing its water

- would have serious environmental impact. Important impacts would be: 1. Removal of agricultural land from production. 2. Reduction in the amount of food that could be produced. 3. Less water available for groundwater rechange basins in agricultural areas to replenish North Kings Groundwater basin that extends beyond Fresno City limits and sphere of influence.
- 3. Under 3.10.6 Project Impacts and Mitigation Measures, Mitigation measure MM HYD-1 is placed under Impact HYD-2. It only references North Kings GSP adopted by North Kings GSA and only applies to groundwater supplies and groundwater recharge, not surface or groundwater quality HYD-1. This makes no sense and needs to be corrected. If it should have been labeled MM HYD-2, then there is no MM HYD-1 measures stated for Impact HYD-1. The North Kings GSP is a plan for the whole sub-basin and not specific to the SEDA plan. The EIR for the SEDA plan must be specific to the environmental effects it will have and what mitigation measures specifically to this area will be implemented and if they will meet CEQA requirements.
- 4. Public comments received during the Draft Program Environmental Impact Report Identified that groundwater overdraft is an issue in the City and requires that the Draft PEIR evaluates the SEDA Specific Plan's impact on groundwater resources. The EIR responded with Impact HYD-2: The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. MM HYD-2d states The City shall develop new and expand existing groundwater recharge facilities to balance increased water demands resulting from the Project Area. The City's plan of reducing its reliance on wells and relying more on surface water, using more surface water to recharge the groundwater through recharge basins sounds great. However, the City of Fresno is already using the majority of its surface water allocation from FID. MM HYD-2c says the City of Fresno will seek additional water sources. No potential additional water resources are identified, therefore this EIR cannot be adequately evaluated based on unknown water sources.
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Cc: Sophia Pagoulatos, Planning Manager

Ms. Sophia Pagoulatos, Planning Manager Ms. Adrienne Asadoorian, Planner City of Fresno 2600 Fresno Street, Third Floor, Room 3065 Fresno, CA 93721



Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486.

Dear Ms. Sophia Pagoulatos, Ms. Adrienne Asadoorian,

Comment in General: This plan is basically a "blank check" plan. No mitigation is allowed in the controversial areas. Also, over and over again, it is stated that once the plan is adopted, the various areas of contention would then be worked out. This reminds me what has happened at the Federal level when Congressmen stated we must pass the legislation and afterwards analyze it to see what it says. THIS IS WRONG and so very unfair to property owners as well as tax payers who will have to cover the expenses of a blank check! I find it very hard to understand how your department can endorse something that is so blatantly wrong.

I also find it difficult to understand why you promote a plan that you do not have concrete answers for. At the Town Hall meetings we were given answers that were vague, indirect, seemingly deceptive, or contradictory. Considering how massive this plan is, how disruptive this is to hundreds of lives, how intrusive this is, and how it will ultimately change the dynamics of Fresno, residents should be entitled to clear answers from those who want to implement this plan. To be so unprepared with a project of this magnitude is inexcusable and offensive.

The first three words of the Constitution are "We the People". The way your organization is handling this portrays an abusive City Government with the "Almighty Dollar" taking priority. It is very disheartening, especially knowing that there are options besides taking the most fertile farmland.

The EIR is inadequate as it is based on ad hoc decisions to be made in the future and not on a set plan. Therefore, it cannot be properly evaluated and should be abandoned.

I contest the following areas of the EIR for the following reasons:

Cost Factors

Comment: The City of Fresno has not addressed the taxpayer's cost to implement this development. This "blank check" is unacceptable and needs to be addressed.

Climate Factors

Comment: The City of Fresno has not addressed the climate goals. This "blank check" is unacceptable and needs to be addressed.

Section 3.2 Agriculture Resources and Forestry Resources

Impact AG-1

Question: With the loss of the Ag land, please site the studies done to accommodate the loss of income for the Hmong Farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

MM AG-1.1

Question: Since the City of Fresno has documented their intent on preserving Prime Farmland, how can this plan be acceptable under the city's goals? Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.3 Air Quality

MM AIR 1c

Question: How is the increase in the electrical grid going to affect Fresno? Not knowing the impact is unacceptable and needs to be addressed.

Question: The document states that air pollution emissions will increase substantially in Southeast Fresno (possibly by 600% in some areas). The public health impacts of this pollution on local residents has not been analyzed in the EIR. Apparently the City wants to deal with this after the Project's approval. This "blank check" is unacceptable and needs to be addressed and documented prior to approval.

Section 3.5 Cultural Resources

Question: How will the loss of the Hmong revenue impact the Hmong culture? Please site studies that support no consideration for the Hmong farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

Section 3.8 Greenhouse Gas Emissions

Question: It is our understanding that the Greenhouse Gas Footprint will increase by 25% with this mega development. This plan is inconsistent with Fresno's climate change progress. What is the Greenhouse Gas Emissions goal of the City in this area and how will it be implemented in the SEDA development? The current plan is a "blank check" concerning climate change and is unacceptable until this is addressed in detail

Question: Fresno's goal was to reduce CO₂ emissions by 559,000 tons a year by 2035. With SEDA, the emissions will increase by 510,000 tons a year. How do you account for this discrepancy and how do you plan to remedy this problem? Without this information, this plan is unacceptable and this "blank check" needs to be addressed and corrected.

Section 3.11 Land Use and Planning

Impact LAND-2

Question: This plan contradicts Fresno's written policy of preserving prime farm land. Please explain how this plan is not in conflict with the preservation of prime farm land. Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.14 Housing

Question: How much of the 45,000 homes will be affordable housing? Jennifer Clark has been reported as saying this detail would be worked out after the City Council approves the project. This is a "blank check" and is unacceptable. This should be corrected and addressed prior to approval.

Section 3.15 Public Services

Question: In the high density areas, how are firefighters, police and first responders going to be able to help people without roads within the areas? Public safety is the number one concern. This plan is unacceptable and needs to be corrected.

Question: Who is going to pay for the massive bill to build schools to accommodate the high density population located in the Sanger School District? Since Sanger Unified has replied to this Project with great concern, please document the projected costs involved with the School district and the plan to fund these schools. Why have no estimated costs been given? Are you concerned that that truth would be detrimental to the Project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a "blank check" is unacceptable and needs to be corrected.

Section 3.16 Recreation

Question: We have been told at the Town Hall Meetings that Eminent Domain is not involved with the Project Plan. Please clarify. Does Eminent Domain occur only after the area is rezoned? Please state facts concerning the plans for Eminent Domain and Rezoning. The indirect answers we have been given are unacceptable. If Eminent Domain and rezoning will not occur, please give us a signed document stating such information.

Section 3.17 Transportation and Traffic

Question: What transportation will be available for the residents in the high density areas to obtain high paying jobs in other areas of town? If the 15 minute cities are designed to confine residents to the area without opportunities to pursue jobs on the North side of town, this is unacceptable and needs to be corrected.

Question: How is the City of Fresno planning to pay for the infrastructure cost? It has been reported that this will be ironed out after the council approves the massive project. This "blank check" is unacceptable and needs to be addressed prior to any approval.

Section 3.18 Utilities and Service Systems

Impact UTIL - 2

Question 1: What are the significant environmental effects of constructing new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities? Please site the studies made and the data concerning the results of the studies. To accept this Plan without detailed information is endorsing a "blank check". This is unacceptable and needs to be corrected. Information and projected costs need to be published.

MMUTIL-1a

Question: What is the plan for additional water capacity? In the Town Hall Meetings we have not received any definite answers.

Comment: A definite plan should be in place prior to adopting the EIR as the water issue will be huge with the mega increase in the amount of people. The water issue will have a major impact on the city as a whole. To adopt the EIR without any plan in place is like giving someone a blank check to do whatever they want even if it was detrimental to the environment. The plan is unacceptable as is and needs to be corrected.

MMUTIL - 1b

Comment: The water supply system needs to be evaluated prior to the adoption of the plan. There is enough information in the plan to be able to be able to evaluate proposed water supply improvements as well as evaluate the environmental impact. To move forward without this information is unacceptable and needs to be addressed. Tax payers should not be endorsing a "blank check".

MMUTIL - 1d

Question: When you expand the wastewater system, are current property owners paying for hooking up to City Sewer? What will be the cost?

Comment: We have not received a clear answer at the Town Hall Meetings. However, we were told that the property owners were to pay for sewer hookup, the cost is around \$30,000, a loan would be available, and if the owner were to sell a lien would be placed on the home to cover the costs. Please give us exact information as to what it will mean for connecting to the City Sewer System and site your source of information. Keeping information from the property owners is unacceptable and needs to be corrected.

MMUTIL - 1f

Question: What will the long term impact on the environment be when expanding or relocating electric, natural gas, or telecommunication facilities for a project of this magnitude. Please site your studies. No information concerning this is unacceptable and needs to be addressed.

Impact UTIL - 2

Question: The EIR states there are sufficient water supplies for this project and foreseeable future development. Please state your source and details to support this statement. Considering the water levels, the years of drought and the projected number of people you plan to accommodate, this is one of the most important issues that needs to be addressed. Stating that there are "sufficient water supplies" is totally unacceptable. This needs to be corrected and addressed in detail as the ramifications of a limited water supply are huge! Allowing the Plan to address this after the Plan is adopted is endorsing a "blank check" for major problems ahead.

Questions:

- 1. Where are you drawing your water source from?
- 2. Is the Kings River considered a source even though it is already low? This project is huge and the lack of information is unacceptable.

Ouestions:

- 1. Once our wells run dry, we are not allowed to drill lower. How can you tell us that this will not impact our wells?
- 2. We have been told that if we are annexed into the City we have 5 years to hook up to City Water.

Our questions have been evaded and the answers given have been contradictory. This is unacceptable! This needs to be addressed and corrected!

Questions:

1. Is the property owner responsible for the cost of connecting to City water? If so, is the cost between \$30,000 - \$50,000? If the property owner doesn't have the money, is a loan required and is a lien put on the house if the owner intends to sell?

We have not been given definite answers. This is unacceptable. A plan of this magnitude should have answers for the property owners.

2. We have also been told that if a property is on a corner, the owner is responsible for hooking up to water in two directions. Please clarify. If this is the case, this is unacceptable! Since when should the property owners be penalized for the developers' benefit?

MM UTIL-2a

Question: The summary refers to the refined measures and standards that the city plans to use to reduce the per capita water use and implement water saving and conservation standards. What are they? Please give details. Without details this plan is unacceptable. Again, this is endorsing a "blank check". Please address and correct.

Section 3.19 Wildfire

Impact WILD-1

Question 1: With the proposed high density housing plan, what is the emergency response plan? If there is no plan, there needs to be one prior to the development of the project for the safety of human life. Without an emergency response plan in place, this plan is unacceptable. This needs to be corrected.

Question 2: What is the emergency evacuation plan in the high density housing area? **Comment:** If there is no plan, there needs to be one prior to the development of the project for the safety of human life. Without an emergency evacuation plan in the high density housing area, this plan is unacceptable and needs to be corrected.

Impact WILD 2

Question: Due to the close proximity of the high density housing, and therefore, the high wildfire risks of rapid spreading, what is the plan to protect the occupants from pollutant concentrations? Without a plan in place, this plan is unacceptable and needs to be corrected.

Question: Due to the close proximity of the high density housing, and therefore, the high wildfire risks of rapid spreading, what is the plan to prevent rapid spreading? Without a plan in place preventing rapid spreading of fire, this plan is unacceptable and needs to be corrected.

Impact – WILD 3

Question 1: Without the infrastructure of roads, fuel breaks, etc., what plans will be implemented to protect the safety of occupants in the high density areas during an emergency? Comment: If there is no plan, this is unacceptable and needs to be corrected. There needs to be a plan in place prior to the development of the project for the safety of human life.

Question 2: Without the infrastructure of roads, fuel breaks, etc. how will firefighters and rescue personnel be able to access various locations in the high density areas during an emergency? This needs to be addressed and corrected in the EIR or the plan is unacceptable.

Impact – WILD 4

Question 1: Should an unexpected potential threat develop from flooding, landslides, etc., what is the plan of evacuating people?

Comment: If there is no plan, this is unacceptable and needs to be corrected There needs to be one prior to the development of the project for the safety of human life.

Based on the above reasons, the EIR for the Fresno Southeast Development Area, Clearinghouse Number 2022020486 should not be accepted.

Please send me notices of any future hearing dates as well as updates concerning this project.

Sincerely,

Welen Ramming Helen Ramming

SEDA area property owner

Member of Southeast Property Owner's Association

Via E-Mail only

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street, Third Floor, Room 3065 Fresno, California 93721

Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486"

Dear Ms. Asadoorian,

I contest Section 3.2 Agricultural Resources and Forest Resources for the following reasons:

- 1. The mitigation plan, MM AG1.1, is unacceptable because it relies on the development of a Farmland Preservation Program by 2025. Since the plan is not in place, the environmental impact cannot be determined. Therefore, this plan must not be accepted until a plan is in place and can be adequately evaluated. Having the plan in place with clear requirements provides predictability of the environmental impact.
- 2. In reference to MM AG2, the City's General Plan Policy RC-9-c does not provide the sole legal basis for mitigation for the loss of farmland to urban development. As you are aware, the California Environmental Quality Act ("CEOA"), Pub. Res. Code 21000 et seq., requires agencies to analyze the significant environmental impacts of projects that they approve or carry out, and to mitigate those impacts, where feasible, to a less than significant level. The Legislature has declared that CEOA "plays an important role" in effectuating the important public policy of preserving agricultural lands within the state. Stats. 1993, ch. 812, 1, p.4428. Accordingly, CEQA's environmental analysis and mitigation requirements extend to farmland conversion. See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 733 (EIR deficient due to an inaccurate assessment of the amount of prime farmland to be converted as a direct result of the development project); Citizens for Open Government v City of Lodi (2012) 205 Cal.App.4th 296, 320-22 (EIR found conversion of 40 acres of farmland a significant impact even after purchase of conservation easements at a 1:1 ratio). Impact AG-2, page 3.2-19 states there are "no feasible mitigation measures available" and that there is "significant and unavoidable impact." The is not acceptable under CEQA mandates and must be corrected.
- 3. The EIR inadequately summarized the total of farmland as 5,552 acres, page S22. When all 4 categories of farmland are added together it amounts to 6,750 acres. The SEDA plan states that the Level of Significance After Mitigation (MM AG-2) is Significant and unavoidable. The plan does not conserve any farmland. Alternative 3 would conserve 648.61 acres. This is not acceptable. Farmland conservation needs to be at least at a 1:1 ratio. Alternative 1 would have the least impact on conversion of

farmland to housing. The SEDA plan, page S10, plans for 45,000 homes compared to 17,900 in the current plan (Alternate 1). Therefore, a large amount of farmland would not be converted to houses under the existing plan and the SEDA plan should be rejected. With the increase in this number of homes and residents, the number of jobs would only be increased from 29,600 to 37,000 jobs. This is unacceptable and will have an adverse on the environment of the planned area.

- 4. The City of Fresno's General Plan conceived of the development of SEDA in Growth Area II to occur after other infill initiatives, to give those time to gain momentum. The Project History in Appendix A of the EIR states "there is still ample residential capacity within the current city limits and in Growth Area I (which includes the Southwest Fresno and the West Area Neighborhoods Specific Plan areas)." Also refer to 2013-2031 Fresno County Multi-Jurisdictional Housing Element Appendix 1-E Fresno. This mitigation measure has been completely ignored in the EIR and has not been addressed as a reasonable option. Therefore the SEDA plan must not be developed until the space within the current city limits and Growth Area I are utilized.
- 5. The plan has made no consideration at all for the social and economic impact on minority groups. A large number of Hmong and Southeast Asia descendants that farm in this area will lose their income and livelihood as their farms are converted to houses and non-agriculture industries. This is a social injustice and has to been addressed before this EIR can move forward.
- 6. There are no mitigation measures to conserve over 900 acres of agriculture land that is already within the Williamson Act. This is totally unacceptable under CEQA guidelines. This EIR cannot move forward until these lands are secured as agriculture land or mitigated at a 1:1 ratio.
- 7. The public comment received during the EIR scoping period asking for an assessment of the impacts that the plan will have on current and future agricultural operations has not been adequately addressed. (Stated on page 3.2-1) Housing, especially high density houses, is incompatible with farming. Mitigation measures in these situations have not been adequately described so a full environmental impact can be made. Planning for only organic farming in the area is not adequate as organic sprays appear to be the same as conventional pesticides approved by Environmental Protection Agency (EPA) and California Department of Pesticide Regulation. Therefore, to plan only for the use of organic pesticides will not provide home owners with peace of mind of safety.
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- This policy is just another way to reduce the feasibility to farm in the SEDA plan area, forcing agriculture out so housing can be built without regard to preserving agriculture land. This policy is not consistent with CEQA's mandate to preserve agriculture land and reasonable measures must be shown how to mitigate hazardous materials in groundwater and surface water and still preserve agriculture land.
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Dear Ms. Asadoorian,

I contest Section 3.10 Hydrology and Water Quality for the following reasons:

- 1. Impact HYD-2: states "The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin." The mitigation measure MM HYD-2d has not been adequately demonstrated in showing that the existing groundwater recharge facilities have produced adequate infiltration into the underground aquifers. Gallons of water input is shown but the real results would be revealed by the change in groundwater table near the basins. Therefore, inadequate information is available to adequately assess the impact these basins are having. In addition, no studies are provided that show what the infiltration rate of proposed groundwater facilities in the SEDA area would be. The Fresno Irrigation District is building all its groundwater recharge facilities on the west side of its district as they feel the east side is less effective for groundwater recharge facilities. The United States Department of Agriculture, Agricultural Research Service. Stainable Agricultural Water Systems Research laboratory at Davis, CA should be contacted and methodology they have developed be used to verify that the proposed sites for groundwater recharge facilities are indeed adequate to mitigate the overdraft of the North Kings Groundwater Basin. Even with the infiltration rate determined, these recharge facilities are only functional when adequate water is available in "wet" rainfall years. Therefore, they are only adequate part of the time. Data is lacking and needs to be developed to show how many recharge facilities would be needed on an average during wet and dry rainfall years to have no significant impact on the groundwater levels.
- 2. MM HYD-2c:States "Prior to exceeding existing water demands, the City shall pursue the provision of adequate water supplies by securing additional water sources and shall not approve development per the Specific Plan for the Plan Area until additional water supply is provided." The city of Fresno is already using nearly all its allocation of surface water from the Fresno Irrigation District (FID). The only way the city of Fresno can obtain additional water is by taking it away from other recipients. Agriculture is the main recipient of water from FID and reducing its water

- would have serious environmental impact. Important impacts would be: 1. Removal of agricultural land from production. 2. Reduction in the amount of food that could be produced. 3. Less water available for groundwater rechange basins in agricultural areas to replenish North Kings Groundwater basin that extends beyond Fresno City limits and sphere of influence.
- 3. Under 3.10.6 Project Impacts and Mitigation Measures, Mitigation measure MM HYD-1 is placed under Impact HYD-2. It only references North Kings GSP adopted by North Kings GSA and only applies to groundwater supplies and groundwater recharge, not surface or groundwater quality HYD-1. This makes no sense and needs to be corrected. If it should have been labeled MM HYD-2, then there is no MM HYD-1 measures stated for Impact HYD-1. The North Kings GSP is a plan for the whole sub-basin and not specific to the SEDA plan. The EIR for the SEDA plan must be specific to the environmental effects it will have and what mitigation measures specifically to this area will be implemented and if they will meet CEQA requirements.
- 4. Public comments received during the Draft Program Environmental Impact Report Identified that groundwater overdraft is an issue in the City and requires that the Draft PEIR evaluates the SEDA Specific Plan's impact on groundwater resources. The EIR responded with Impact HYD-2: The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. MM HYD-2d states The City shall develop new and expand existing groundwater recharge facilities to balance increased water demands resulting from the Project Area. The City's plan of reducing its reliance on wells and relying more on surface water, using more surface water to recharge the groundwater through recharge basins sounds great. However, the City of Fresno is already using the majority of its surface water allocation from FID. MM HYD-2c says the City of Fresno will seek additional water sources. No potential additional water resources are identified, therefore this EIR cannot be adequately evaluated based on unknown water sources.
- 5. Objective RC-6 Ensure that Fresno has a reliable, long-range source of drinkable water. Policy RC-6-I Natural Recharge. Support removal of concrete from existing canals and change the practice of lining new and existing canals with concrete to allow for natural recharge. Without concrete lining of canals: 1. Delivery of water to the city of Fresno and agriculture would be less efficient, meaning less water for both consumers at the city level and in agriculture. 2. The maintenance costs of the canals would be higher due to erosion of the banks. 3. There would be an increase in the soil particulates and contaminants in the water from the soil banks of the canel. 4. There will be damage to the canal banks by rodents and other animals, causing the loss of water from leaks and flooding. This policy and mitigation measure should not be implemented until the EIR is amended with a full report of impact on the environment and water quality.

Based on these reasons, the Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 should not be accepted.

Please send me notices of any future hearing dates as well as any staff reports pertaining to this project.

Very truly yours,

Dr. David Ramming

Retired Research Horticulturist, USDA/ARS

SEDA area property owner

Dr. David Ramming

Member Southeast Property Owner's Association

Cc: Sophia Pagoulatos, Planning Manager

AUGUST 25, 2023

VIA EMAIL: <u>ADRIENNE.ASADOORIAN@FRESNO.GOV</u> PLANNING AND DEVELOPMENT DEPARTMENT ADRIENNE ASADOORIAN, PLANNER III 2600 FRESNO STREET, ROOM 3065 FRESNO, CA 93721

Dear Adrienne Asadoorian:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE FRESNO SOUTHEAST DEVELOPMENT AREA SPECIFIC PLAN PROJECT, SCH# 2022020486

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report for the Fresno Southeast Development Area Specific Plan Project (Project).

The Division monitors and maps farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. Public Resources Code, section 614, subdivision (b) authorizes the Department to provide soil conservation advisory services to local governments, including review of CEQA documents.

Protection of the state's agricultural land resources is part of the Department's mission and central to many of its programs. The CEQA process gives the Department an opportunity to acknowledge the value of the resource, identify areas of Department interest, and offer information on how to assess potential impacts or mitigation opportunities.

The Department respects local decision-making by informing the CEQA process, and is not taking a position or providing legal or policy interpretation.

We offer the following comments for consideration with respect to the project's potential impacts on agricultural land and resources within the Department's purview.

PROJECT ATTRIBUTES

The proposed project is a Specific Plan that would provide for increased density and accelerate housing production throughout the Plan Area. The proposed project would offer flexibility in meeting the evolving needs of households in the region through a multimodal transportation network and diverse housing types and affordability levels. It has the potential to accommodate approximately 45,000 homes and 37,000 jobs within the nearly 9,000-acre planning area by the year 2050. The proposed project is framed

with three interrelated goals: fiscal responsibility, social equity, and environmental sustainability. The proposed project would link a series of complete communities and mixed-use centers with a multimodal transportation network. Additionally, the proposed project would include major transit lines, mixed-use centers, diverse residential districts, employment districts, open space, agriculture, and green infrastructure. The project site contains Prime Farmland, Farmland of Statewide Importance, and Unique Farmland as designated by DOC's Farmland Mapping and Monitoring Program. The project site may also contain lands subject to Williamson Act contracts.

PROJECT CONSIDERATIONS

The conversion of agricultural land represents a permanent reduction and impact to California's agricultural land resources. The Department generally advises discussion of the following in any environmental review for the loss or conversion of agricultural land:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.
- The project's compatibility with lands within an agricultural preserve and/or enrolled in a Williamson Act contract.

WILLIAMSON ACT

Where the project site is located on land subject to a Williamson Act contract, the Department advises that the environmental review discuss the compatibility of the project with the contract and local Williamson Act program requirements.

MITIGATING AGRICULTURAL LAND LOSS OR CONVERSION

Consistent with CEQA Guidelines, the Department advises that the environmental review address mitigation for the loss or conversion of agricultural land. An agricultural conservation easement is one potential method for mitigating loss or conversion of agricultural land. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]; see also King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814.)

Mitigation through agricultural conservation easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land may be viewed as an impact of at least regional significance. Hence, the search for replacement lands may not need to be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

California Council of Land Trusts

Of course, the use of conservation easements is only one form of mitigation, and the Department urges consideration of any other feasible measures necessary to mitigate project impacts.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Fresno Southeast Development Area Specific Plan Project. Please provide the Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Keali'i Bright

Division Director

Kealii Bright

From:
To: Adrienne Asadoorian

Cc: Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Luis Chavez; Garry Bredefeld; Nelson Esparza;

todd.stermer@freno.gov; district1@fresnocountyca.gov; district2@fresnocountyca.gov;

salquinterro@frresnocountyca.gov; district3@fresnocountyca.gov; district5@fresnocountyca.gov;

clerkbos@fresnocountyca.gov; aolivas@fresnocountyca.gov; Mayor

Subject: Comment on the EIR Report of the SEDA (South East Development Area) Plan Comments

Date: Monday, August 28, 2023 3:18:55 PM

External Email: Use caution with links and attachments

As a resident in the proposed **SEDA** area outlined for City annexation and development, I have many uncertainties and reservations regarding the initial plans as laid out in the recently released EIR report that precedes this planned residential/agricultural seizure.

1. Groundwater Supplies

The majority of residents of the defined 9,000+ acres have their own sufficient water access via personal pumps: both residential and agricultural

--The EIR suggests that it will not approve any development plans until additional water capacity is provided through "...improvements..." in accordance with the City. I need to know who is going to pay for these improvements, what they may entail, if present residents can maintain their current water access and if not, who will subsidize the ENTIRE costs of upgrading or changing to city requirements.

2. Light, Glare, Noise, Fire

Presently, the proposed areas <u>enjoy</u> a <u>less blatant</u> exposure to the negative city atmosphere of street lights that permeate homes, glare that obliterates the evening skies, and incredible noise from hundreds and hundreds of homes, vehicles and properties that inevitably create excessive incursion into others private properties that will create disputes, hostilities and eventually complaints to law enforcement. Increased police and fire requirements will be vital for any area expecting this huge increase of population. Regulations and laws will have to be strictly enforced or it may be "handled" by established residents who find their lifestyles invaded and violated.

3. Agriculture requirements of crop fertilizers/pesticides/soil enhancements

Will there be new restrictions on presently used *and accepted* crop airborne soil and crop solutions? Will there be controls/limitations tomorrow what is perfectly fine today?

4. Large and small animal ownership

Will there be new restrictions on the animals that many residents typically own but are not customary or approved to city residences, such as cows, sheep, goats, horses, chickens, pigs, etc.

- 5. Increase on present residential costs, such as sewer and water hook up? Agricultural pumps for water access? Any fencing changes for utility access? The present access to **FID** (Fresno Irrigation District) water canals? Fireplace usage for properties without access to natural gas hookup?
 - a. Who will cover the costs for these immense changes in utilities?

- b. Will there be property tax increases for the changes forced on the residents?
- c. Will there be increased costs for the access for police, fire, and emergency services?
- d. What about the insurance cost increases created by companies who see fire dangers with so many homes so close together that can cause immediate need of emergency services?
- e. Will the city still provide ditch tenderers, canal management and repair, weed abatement?

It seems like the City of Fresno already has a lot on it's plate without this land grab. Who is this for... developers and political donors?

Property owners and residents in this area don't want to be annexed into the City of Fresno.

We don't want Fresno to become another LA with this urban sprawl. If you care about the people who live here now, **put it to a vote** and let their voices be heard!





2907 S. Maple Avenue Fresno, California 93725-2208 Telephone: (559) 233-7161

Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

August 25, 2023

Adrienne Asadoorian
Planner III
Planning and Development Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE:

Notice of Availability of a Draft Program Environmental Impact Report for the Proposed Southeast Development Area Specific Plan (State Clearinghouse [SCH] No. 2022020486) for the City of Fresno

FID Facilities: Various

Dear Ms. Asadoorian:

The Fresno Irrigation District (FID) has reviewed the Notice of Availability of a Draft Program Environmental Impact Report for the Southeast Development Area Specific Plan for the City of Fresno (Project). We appreciate the opportunity to review and comment on the subject document for the proposed project. FID's comments are as follows:

Impacted Facilities

 FID previously commented on the subject project on March 25, 2022, in response to the Notice of Preparation of a Program Environmental Impact Report for the subject project. Those comments and conditions still apply and a copy has been attached for your review.

Thank you for providing us the Notice of Availability of a Draft Program Environmental Impact Report of the Southeast Development Area Specific Plan. We appreciate the opportunity to comment on the subject Notice for this project. While it is difficult to envision all of the potential impacts without all of the improvement details, we look forward to working with you to address our concerns as the developments occur. We reserve the right to provide additional comments when more detailed information becomes available. Should you have any questions,

Adrienne Asadoorian Re: NOA SEDA August 25, 2023 Page 2 of 2

please feel free to contact me at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.

Chief Engineer

Attachments



2907 S. Maple Avenue Fresno, California 93725-2208 Telephone: (559) 233-7161

Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 25, 2022

Jennifer Clark
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Notice of Preparation of a Program Environmental Impact Report of the

Southeast Development Area Specific Plan for the City of Fresno

FID Facilities: Various

Dear Ms. Clark:

The Fresno Irrigation District (FID) has reviewed the Notice of Preparation of a Program Environmental Impact Report of the Southeast Development Area Specific Plan for the City of Fresno (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:

Impacted Facilities

- 1. FID has many canals within the Project Area as shown on the attached FID exhibit map. The facilities include: Fresno No. 3, Fancher No. 6, Mill No. 36, Briggs No. 7, Gould No. 97, Gray Colony No. 111, Eisen No. 11, Temperance No. 37, Hanson No. 129, East Branch No. 5, and Kutner Colony S. Br. No. 329. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards or relocated by the developer to accommodate new urban developments which will require new pipelines and new exclusive easements. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.
 - a. <u>Small/Medium Canal Crossings</u> The majority of the proposed planned will impact existing pipelines and small open channel canals. FID will require all open channels and existing pipelines impacted by the project area development be upgraded to meet FID's then-current standards for

Jennifer Clark Re: NOP SEDA March 25, 2022 Page 2 of 5

urban, rural, industrial areas. The majority of FID's facilities that lie within the proposed Planning Area do not meet FID's urban specifications, including road or highway crossings. The majority of the existing pipelines are monolithic cast-in-place concrete pipe (CIPCP), low head/thin wall PVC, and non-reinforced mortar jointed concrete pipeline. These pipelines were designed for a rural environment and will fail if they are not replaced as development occurs.

- b. <u>Large Canal Crossing</u> There are large canals called Gould No. 97, Fresno No. 3, Mill No. 36, and Fancher No. 6 that will more than likely be too large to be contained within a pipeline. Development impacts to these facilities shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.
- 2. FID's facilities that are within the Planning Area carry irrigation water for FID users, recharge water for the City of Fresno, and flood waters during the winter months. In addition to FID's facilities, private facilities also traverse the Planned Area.
- 3. Canal Access FID will continue to access the Canal from public roads. In order to access the maintenance bank with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.
 - a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.
- 4. Canal Banks If there will be any work on canal banks, the following will apply:
 - a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.

Jennifer Clark Re: NOP SEDA March 25, 2022 Page 3 of 5

- b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property.
- c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.
- 5. Trail It is FID's understanding that many trails are master-planned within the Southeast Development Area. As with other developments with trails along the canals, FID will not allow the trail to encroach/overlap FID's canal easement unless an agreement is in place for this purpose. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:
 - a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.
 - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.
 - e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
 - f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.

Water Supply Impact

1. The project encompasses the City of Fresno Growth Area 1 and 2 and portions of the project are not entitled to water under the current City of Fresno Conveyance Agreement. Under the executed agreement between the City of Fresno and FID development within Growth Area 2 will not result in an increase in the City's surface water allocation from FID. The document must consider how

Jennifer Clark Re: NOP SEDA March 25, 2022 Page 4 of 5

to best handle future developments, if any, within the areas designated Growth Area 2 and areas outside of the agreement to evaluate all potential impacts.

- 2. The document must evaluate whether the City's Water Master Plan needs to be updated and how the Cooperative Agreement between the City of Fresno and FID may impact the developments within the Planning Area. The report must evaluate the City's growth with the recent water issues, including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.
- 3. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.
- 4. The proposed land use (or changes in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.
- 5. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.
- 6. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.
- 7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their

Jennifer Clark Re: NOP SEDA March 25, 2022 Page 5 of 5

local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.

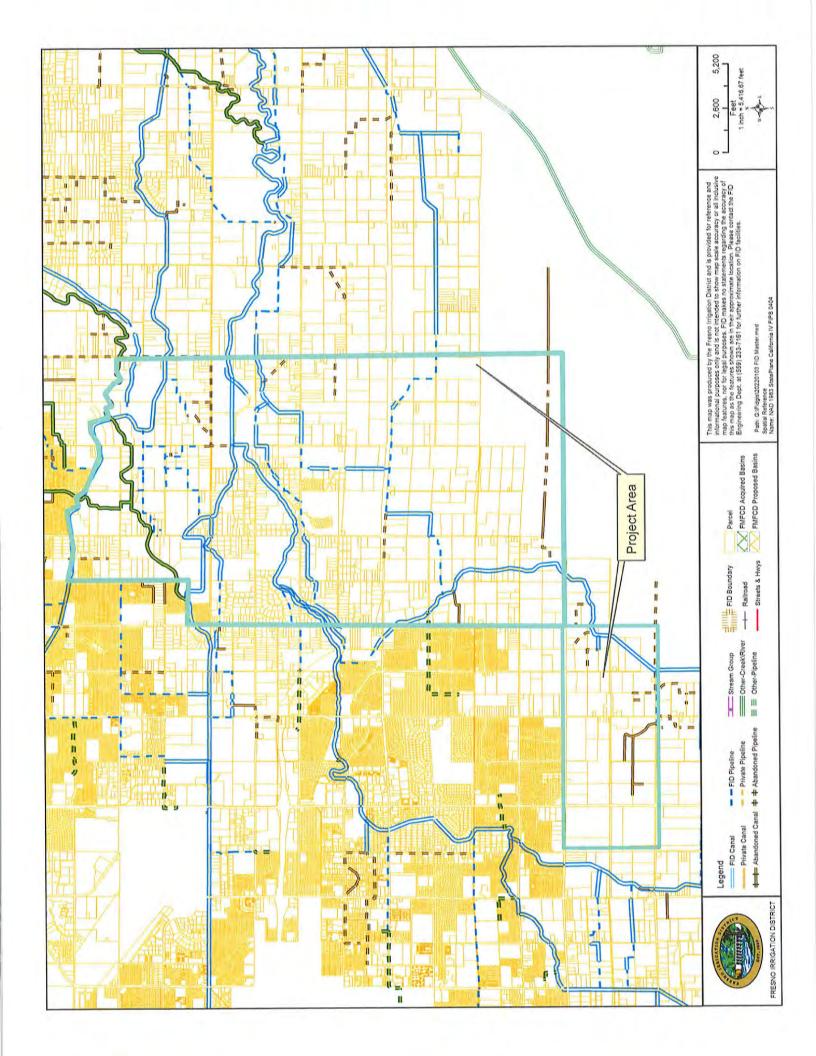
Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report of the Southeast Development Area Specific Plan for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to comment on the subject Notice for this project. While it is difficult to envision all of the potential impacts without all of the improvement details and impact report, we have attempted to provide you as much information as possible. We reserve the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact me Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.

Chief Engineer

Attachments





Jeffrey M. Reid Partner (Admitted in California, Virginia and District of Columbia) (559) 433-2310 ieff.reid@mccormickbarstow.com

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SAN LUIS OBISPO, CA OFFICE 1041 Mill Street, Suite 105 San Luis Obispo, California 93401 Telephone (805) 541-2800 Fax (805) 541-2802

September 4, 2023

Via Email: Adrienne. Asadoorian@fresno.gov

Jennifer.Clark@fresno.gov Sophia.Pagoulatos@fresno.gov

City of Fresno Planning and Development Department Adrienne Asadoorian, Planner III 2600 Fresno Street, Room 3065 Fresno, CA 93721

With a copy to Jennifer Clark, Director Planning and Development Department c/o Sophia Pagoulatos, Planning Manager 2600 Fresno Street, Room 3065 Fresno, California 93721

SUBJECT: Draft Program Environmental Impact Report for the Proposed

Southeast Development Area Specific Plan Project (State

Clearinghouse No. 2022020486)

This comment letter is being submitted on behalf of our client, the County of Fresno (the "County") Department of Public Works and Planning regarding the City of Fresno's (the "City") Draft Environmental Impact Report ("DEIR") for the Southeast Development Area Specific Plan Project (the "Specific Plan"), which is intended to govern future development of the area commonly referred to as SEDA (the "Project"). Please ensure this letter and its referenced enclosures are included in the Record of Proceedings regarding the consideration of the Project by the City of Fresno (the "City").

A. The Specific Plan Fails to Address the Requirements of LAFCO Resolution USOI-144, and Thereby Omits Discussion of Important Policies Intended to Mitigate the Environmental Consequences of the Project.

Preparation of the Specific Plan for SEDA development is a requirement of the Fresno County LAFCO approval that incorporated SEDA into the City Sphere of Influence, as set forth in LAFCO Resolution USOI-144, a copy of which is attached for convenience of reference. Therefore, the City needs to assure that the Specific Plan incorporates the details intended by Resolution USOI-144. Those elements require a master service delivery plan, and an implementation program for annexing open space areas and rural residential neighborhoods. These items were highlighted in Resolution USOI-144 because they involve significant environmental impacts of the intended development of SEDA. However, those requirements have not been adequately

¹ This letter is being submitted after the 45 day comment period based upon arrangements previously confirmed between the City and the County.



addressed in the Specific Plan. As a result, its companion DEIR fails to adequately evaluate how the Specific Plan's implementation will mitigate the environmental impacts that would be addressed by the intended requirements of Resolution USOI-144.

Resolution USOI-144 does not simply require that those intended programs apply to properties within the boundaries of SEDA. Resolution USOI-144 requires development of a program that addresses annexing rural residential neighborhoods within the City's existing sphere of influence in the vicinity of SEDA, as well as within SEDA. That program, as specified in the Resolution, must address "logical and reasonable development, discourage urban sprawl, preserve open-space and prime agricultural lands, and efficiently provide for government services and encourage orderly development."

Additionally, the intended rural residential neighborhood annexation program is required to "emphasize the retention of characteristics that make the neighborhoods desirable places to live, while making provision for appropriate improvement needed to incorporate characteristics into the urban landscape." These are not programs or policies that were to be deferred to some subsequent time, or to some subsequent SEDA Development Code amendments. Resolution USOI-144 specifically requires that they be reflected in the Specific Plan prepared by the City.

Resolution USOI-144 further requires adoption of policies that address the matters concerning lands subject to Williamson Act contracts. Such policies should address the City's intended approaches to any option the City may hold to terminate such contracts under Government Code section 51243.5, and the policy the City intends apply with respect to nonrenewal of such contracts under Government Code section 51246.

The Specific Plan, unfortunately, does not incorporate any such policies. In fact, it makes no reference to Williamson Act Contracts. The DEIR does make reference to Williamson Act contracts, but simply for the purpose of noting that the Specific Plan is not consistent with existing Williamson Act Contracts, and that it will result in significant impacts on those existing contracts. It further adopts no mitigation measures concerning this impact, and simply confirms this is a significant and unavoidable impact with no available mitigations. It therefore intends to adopt a statement of overriding considerations on such matters.

Regarding the requirements of Resolution USOI-144 that the SEDA Specific Plan incorporate a master service delivery plan, the proposed Plan simply asserts that a "pending SEDA Public Facilities Financing Plan", will address important elements of the Plan. It defers that financing plan, and thereby fails to satisfy the requirement of Resolution USOI-44 that these arrangements be incorporated into the Specific Plan. (See Specific Plan-Planning Context, Complete A Public Facilities Financing Plan, p.3; Policy RC-3.3, Water Recycling-Residential Landscaping and Small Farms and Community Farming, p.104; Policy RC-4.1, Minimizing Groundwater Extraction, p. 105; Policy RC-4.2, Replacement of Extracted Groundwater, p.105; Policy RC-4.3, Maximizing



Groundwater Recharge, p.105; Policy RC-6, Water Supply and Delivery, p. 107; Policy RC-6.1, Site Development-Level Water Supply and Delivery Systems, p. 107; Policy RC-6.3, Flood Control and Stormwater Management-Sub-Area or Development Proposal delivery, p. 108; Policy RC-6.4, Flood Control and Stormwater Management-Shared Resources and Infrastructure, p. 109). The plan to finance these public facilities, which are so important to addressing environmental impacts, were intended to be addressed in the Specific Plan. This has not been done. The DEIR simply notes that the Financing Plan will be a subsequent element of the Project, and assumes its components will adequately address the Specific Plan's requirements, including intended elements of intended environmental mitigations (See DEIR Policy RC-3.3, Small Farms and Community Farming, at p. 3.18-48).

Because the Specific Plan does not conform to the express requirements of Resolution USOI-144, which identified important environmental impacts of developing the SEDA lands, the DEIR violates the requirements of the California Environmental Quality Act ("CEQA") that the environmental consequences of a government decision on whether to approve a project will be considered before, not after, that decision is made. (Stanislaus Natural Heritage Project v. County of Stanislaus (1996) 48 Cal.App.4th 182, 190). It also violates the requirement that an EIR "should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences." (CEQA Guidelines section 15151)

B. The Project Lacks Sufficient Planning Details to Permit in an Adequate DEIR Analysis of Its Potential Environmental Impacts.

A fundamental purpose of CEQA is to "inform the public and responsible officials of the environmental consequences of their decisions before they are made. (Stanislaus Natural Heritage Project v. County of Stanislaus, supra, 48 Cal.App.4th at 190). In addition, an EIR "should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences." (CEQA Guidelines section 15151). It is true that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (CEQA Guidelines section 15146). In this instance, the project is a specific plan, and the City's Specific Plan fails to provide the information generally required for specific plans under Government Code section 65451.2 The DEIR therefore fails to satisfy CEA's

² Because the City is a Charter City, the requirements of Government Code Section 65451 do not apply to it unless it has otherwise confirmed, by ordinance or resolution, an intention to comply with such provisions. (Government Code sections 65700 and 65803). However, in this instance the requirement of preparing the Specific Plan is an element of LAFCO Resolution USOI-144. By accepting the benefits of that Resolution, the City has committed to be bound by its requirements. Whether Resolution USOI-144 intended that the Specific Plan satisfy the minimum thresholds established in Government Code Section 65151 is a matter of interpretation for LAFCO to address. However, in addition to not satisfying the



requirements because the Project which it evaluates is too vague to permit sufficient environmental impact evaluation. (County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 192-193, Save Our Capitol! v. Department of General Services (2023) 87 Cal.App.5th 655, 674).

Standard provisions of a specific plan should include details for the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities needed to support the land uses described in the plan. (Government Code section 65451(a)(2)). In addition, a specific plan generally includes a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the development of the land uses intended by the plan. (Government Code section 65451(a)(4)). However, the Specific Plan lacks sufficient detail concerning such matters. As noted above and below, the Specific Plan defers preparation of both its intended infrastructure financing plan, and its zoning standards, which will subsequently establish the intended development densities and other regulations for its land use designations.

Where, as here, a specific plan does not incorporate the information, in sufficient detail, generally required for such a plan, and instead defers such matters to future preparation, the CEQA document cannot meaningfully evaluate the environmental impacts of the intended project. An insufficiently detailed project cannot be adequately subjected to appropriate environmental review (Santiago County Water District v. County of Orange (1981) 118 Cal.App.3d 818, 829). The DEIR thereby fails to satisfy its fundamental purpose of CEQA, to "inform the public and responsible officials of the environmental consequences of their decisions before they are made". (Stanislaus Natural Heritage Project v. County of Stanislaus Court of Appeal, supra, 48 Cal.App.4th at 190).

For example, the Specific Plan attempts to address the qualities of the size, density, composition and building character of its extensive complement of new Mixed-Use Districts, by requiring that they be consistent with new zone district standards to be adopted in the future, as part of a SEDA Development Code update. (Specific Plan, at Policy UF-2.2 Development Code Update, p. 27). Some density standards are described for some of the new land use categories. However, the Plan confirms that those density standards, and other aspects of the development standards and regulations, are to be set forth in the presently undefined Development Code update. That updated code will replace all previous zoning designations and will supersede the General Plan and all applicable Specific Plans, including the SEDA Specific Plan. (Specific Plan, page 39). The failure to incorporate meaningful details of those standards in the Specific Plan fails

minimum statutory requirements of a specific plan, as noted in Section A, the Specific Plan also does not satisfy the express requirements of Resolution USOI-144, resulting in its failure to address important environmental consequences of the Specific Plan.



to address these important aspects of the Specific Plan's intended scope of development, and results in an inadequate CEQA evaluation of its environmental impacts.

Public Resources Code section 21155.4 provides that any future project consistent with an adopted specific plan, and which implements certain transit oriented development projects, may obtain exemptions from compliances with CEQA. Here, the Specific Plan lacks appropriate details. As a result, the CEQA evaluations are incomplete. Nevertheless, further CEQA compliances for future projects might not later occur. This adds additional importance to the need to assure that the Specific Plan is sufficiently detailed so its CEQA evaluations are conducted appropriately as part of its adoption.

C. The Project Is Inconsistent With Relevant Provisions of the City's General Plan-The Impacts of This Inconsistency Was Not Analyzed in the DEIR.

Government Code section 65454 mandates that a specific plan must be consistent with the relevant general plan. This provision of the State Planning and Zoning Law is applicable to Charter cities. (Government Code section 65700). In addition, CEQA requires that any inconsistency of a Project with relevant land use policies should be evaluated as a potentially significant impact. (Guidelines, appen. G, section XI, subd. (b).

The Specific Plan intends to assure its consistency with the General Plan by the City later adopting amendments to the General Plan to incorporate its new land use designations. While that is not unusual, what is unusual is that the zoning standards applicable to the implementation of the new land use designations are also being deferred until sometime into the future. As a result, the environmental impacts of the new Specific Plan's land use designations cannot be meaningfully evaluated unless and until those zoning standards are available for public review and comment.

In addition, the City of Fresno General Plan, at Section 1.3 (Development Under the Plan – Dwellings, Population, and Jobs) confirms that the Specific Plan for SEDA is required to include a "comprehensive provision of public infrastructure". However, the Specific Plan does not contain the required comprehensive policies, programs or plans necessary for any comprehensive provision.

Instead, the Specific Plan states that its goal is simply "to set a clear vision for how Southeast Development Area will develop over time". (Specific Plan, page 16, at "Next Steps: Setting the Stage for Implementation"). The Specific Plan's required program for comprehensive provision of public infrastructure is instead deferred by proposing that the City Council will, at some subsequent time, "direct which financing options to pursue", and will then complete a Public Facilities Financing Plan. (Specific Plan, page 17, at "Complete a Public Facilities Financing Plan").

The Specific Plan, while it intends to identify major infrastructure requirements, fails to include the comprehensive provision of public infrastructure required by the



terms of the General Plan. Because the Specific plan does not satisfy these requirements of the General Plan, it is inconsistent with the General Plan. The DEIR, at Table 3.11-1 lists what it perceives to be a Consistency Determination of the various policies of the Specific Plan with the General Plan. However, that listing fails to reference Section 1.3 of the General Plan. The DEIR therefore fails to identify the impacts of this inconsistency with the General Plan. As a result, it violates the requirements of CEQA that an EIR evaluate the impacts of any inconsistency in the Project and land use policies of the lead agency.

In addition, the General Plan, in its commentary under Implementing Policy UF-13.a, confirms that a Specific Plan is intended to further define the requirements and regulations of the General Plan "to coordinate more discreet land use and transportation design integration and intensity with necessary public facilities, maintenance, and services financing" for the relevant development area. Though the Specific Plan does identify some major infrastructure requirements, it does not indicate how such infrastructure is designed to integrate with the intensity of the intended development, because important facets of that density is deferred to a future SEDA Development Code update.

For example, table 2.1 of the Specific Plan identifies types of streets that will be included in various land use districts. However, there is no discussion about how the delineation of those transportation facilities is intended to accommodate the development and uses reflected in the Specific Plan.

The DEIR takes the limited information included in the Specific Plan and makes the conclusion that the Project will be consistent with the General Plan policy that calls for planning and design of roadway systems to meet LOS D on major roadways. The sole assurance of this is the statement that "Roadway improvements to increase capacity and maintain LOS standards would be planned and programmed based on the total overall needs of the roadway system, recognizing the priority of maintenance, rehabilitation, and operation of the existing road system." (DEIR at p. 3.17-30). However, the actual impact on existing roadways is nowhere detailed in either the Specific Plan or its DEIR. This is presumably because, without any understanding of the density of developments in the land use designations, the projected traffic demands on specific roadways cannot be fairly estimated. As a result, the queuing analysis for impacts on the State High system interchanges, requested by Caltrans in its Comment Letter dated August 25, 2023, was not prepared.

The intended density of development that the public facilities will be required to support is not included in the Specific Plan. Those important elements of a legally compliant specific plan are simply deferred to a future adoption of a SEDA Development code update. As a result, the DEIR fails to evaluate the environmental impacts of the Project.



D. The Specific Plan Intends for an Undefined SEDA Specific Plan Development Code to Supersede Its Development Standards (Including Relevant Density Standards) - the DEIR's Analysis of the Environmental Impacts of These Unknown Development Standards Is Therefore Inadequate.

The Specific Plan intends to defer the designation and adoption of density and land use standards until adoption of the SEDA Specific Plan Development Code. (Specific Plan, page 39). This is not simply the deferral of refinements to the Specific Plan's intended policies. These undefined Development Code updates are instead intended to have such importance to the intended development area that they will replace all previous zoning designations and will supersede the General Plan and all applicable Specific Plans, including the SEDA Specific Plan. (Specific Plan, page 39). Where, as here, the most consequential elements the Specific Plan's standards of development are not disclosed to the public or other agencies, no meaningful environmental evaluation of its environmental impacts can be sufficiently conducted.

These deferred Specific Plan elements are not simply limited to the intended density standards of the proposed land use designations. As an example, Section 2.3.2 of the DEIR discusses locations of open space and institutional features intended by the Specific Plan. However, it states that those locations, as well as roadway configurations and transit alignments, are more closely specified in an Infrastructure Plan. That Infrastructure Plan referenced in the DEIR is nowhere identified or disclosed in the Specific Plan (or otherwise in the DEIR).

Deferral of fully binding density standards for the Specific Plan's land uses, and intended location of key public facilities, significantly diminishes the ability of the DEIR to evaluate the project's environmental impacts. This causes the DEIR to fail its obligation to provide information to the public and the elected officials as to the Specific Plan's potential environmental impacts.

E. The Specific Plan Abolishes the "Permanent Buffer" Along Its Eastern Border
Intended to Separate and Preserve Long-Term Agricultural Uses Outside Its
Borders – the Consequences of Which Are Nowhere Disclosed in the DEIR.

An important public policy goal for the Specific Plan is to minimize its impacts on various classes of agricultural lands. (See LAFCO Resolution USOI-144, Section 8-3). In furtherance of this goal, the Specific Plan states that the Plan will create an agricultural buffer between developed areas of SEDA and the agricultural lands to its east. (Specific Plan, p. 60).

However, the existing land uses allocated to SEDA in the General Plan already establishes a buffer. The General Plan states that this is to be a <u>permanent</u> buffer area, designed to separate and preserve long-term agriculture outside of the eastern SOI boundary from urban uses inside the SOI Boundary. (General Plan, p.3-25). Table 15-802 of the City Development Code sets forth the limited uses that can be conducted



within that Buffer zone, with manufactured housing, and secondary units, being the sole housing type permitted.

The Specific Plan proposes to abolish this existing adopted Buffer zone in the SEDA area. It instead intends to allow Rural Cluster Residential uses in the area of lands previously designated with the Buffer Zone. The DEIR states that this Rural Cluster Residential uses will serve as a <u>transitional</u> buffer, and states that this area will provide average gross density of 0.1 to 0.5 units per acre.³ This change in the uses permitted in the Buffer can be seen by comparing Map 2.4, SEDA General Plan Land Use (Existing), with Map 2.5, SEDA Proposed Land Use Map, at pages 21 and 22 of the Specific Plan.

The Specific Plan therefore relaxes the existing restrictions that the General Plan established for development within the existing Buffer Zone, and diminishes from permanent to transitional status. The Specific Plan instead intends to allow a greater extent of housing, and potentially other uses. However, this change in the existing Buffer zone is nowhere discussed in the DEIR, and the impacts of allowing greater development within those areas is therefore nowhere analyzed in the DEIR. This is a significant change to an existing land use designation that was previously adopted to help diminish in conversion of farmland to nonagricultural uses.

The DEIR asserts that no feasible mitigation measures to address this impact are available. However, the proposed Specific Plan's change in the General Plan's Buffer zone exacerbates the impact. One feasible mitigation measure would therefore be the retention of the General Plan's established Buffer zone. Where, as here, the DEIR is intending to amend a prior mitigation measure of the existing General Plan, the DEIR must discuss the reasons that justify any change to the Buffer zone, and the potential consequences of allowing new Rural Cluster Residential uses within its environs. That discussion is particularly important where the DEIR otherwise determines this impact is significant, and unavoidable. The DEIR should be updated to include this discussion, and should then be recirculated.

F. Rather Than Rely Upon the Undefined Standards of Mitigation Measure MM

Ag-2, the City Should Defer Adoption of the Specific Plan Until It Adopts the

Farmland Preservation Program Intended by General Plan Policy Rc-9-C.

The DEIR, at p. 3.2-17, details the intention of the General Plan Policy RC-9-b to implement a Farmland Preservation Program. It seeks to assure that such a program, when adopted, will ensure mitigation of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Until the program is adopted, the DEIR intends to implement, through MM AG-2, an ad hoc mitigation program whose standards are entirely undefined.

³ As noted above, the Specific Plan provides that the densities stated in the Plan can be overridden by whatever standards are set forth in the yet to be developed SEDA Development Code.



The City adopted General Plan Policy RC-9-b nearly a decade ago, on December 18, 2014. It has had much time to prepare an appropriate program that addresses the intentions of that mitigation standard. Continuing in place an arrangement for ad hoc mitigations, based upon undefined standards, is not an acceptable alternative to a defined and adopted uniform program and policy that General Plan Policy RC-9-b intended. (See *Center for Sierra Nevada Conservation v. County of El Dorada* (2012) 202 Cal.App.4th 1156). This is particularly true given the amount of time that has been available to adopt such a program.

Rather than adopting MM AG-2 as a new mitigation measure, the City should defer finalizing this Specific Plan until after the program intended by General Plan Policy RC-9-b is fully adopted. Only then can both the agricultural community and the development community understand the requirements for development within the Plan where relevant farmland is being impacted. MM AG-2, standing alone, has insufficient performance standards to satisfy appropriate standards for deferred mitigation. It includes no mitigation ratio, does not address potentially appropriate exemptions and exclusions, or the locations of lands covered by conservation easements. It thereby leaves too many aspects of the arrangement too ill defined to fully assess its efficacy.

The fact that the impacts on relevant farmlands are identified as an unavoidable and mitigatable significant impact does not allow the DEIR to fail to adopt feasible mitigation measures. The adoption of General Plan Policy RC-9-b intended to allow appropriate deliberation of a comprehensive program to address such impacts. That program should be adopted before annexations within SEDA begin and before the Specific Plan is adopted.

G. The Specific Plan and Its DEIR Should Address Phasing Policies and Assure That Lands in the City's Sphere Adjacent to, but Outside SEDA, Are Prioritized For Development Before SEDA Lands.

The Specific Plan's implementation objectives provides that development of SEDA is to occur in an organized and phased manner. (Specific Plan, p.12, DEIR p. 2-12). The DEIR also states that annexations will be "strategic and proactive to facilitate infrastructure development by the City." (DEIR at p. 2-3). An important value of a phasing plan is that it can help diminish the pressure on early conversion of farmlands and impacts on existing rural residential uses within the Specific Plan boundaries. It may also help extend the period before the development within the Specific Plan pressures conversion of farmlands outside the Specific Plan, or rural residential uses in proximity to the Specific Plan boundaries.

A phasing program is therefore a tool that can help achieve many of the objectives of the Specific Plan's requirements set forth in LAFCO Resolution USOI-144, Section 8-3, regarding the Project's impacts on existing rural residential neighborhoods. It is also an important tool to mitigate the impact on farmland conversions, which is



particularly important where, as here, the DEIR finds that such impacts cannot be mitigated and are otherwise a significant an unavoidable circumstance. Even where that circumstance exists, CEQA nevertheless requires that all feasible mitigation measures are adopted. Yet, in this instance the Phase plan, while promised, is not adopted and is therefore not available as a mitigation tool.

One easy phasing strategy we recommended is a policy of the City to help insure that the unincorporated lands west of Temperance Avenue within the City Sphere of Influence are timely annexed before annexation begins with SEDA. However, an even broader phasing strategy would provide a greater extent of mitigation on the premature conversion of farmlands and impacts of development on existing rural residential uses.

Unfortunately, the Specific Plan does not include any phasing strategies. The accompanying DEIR therefore does not assess all potential mitigations that can be provided by a thoughtful phasing program. Such a program might include advancing construction of relevant public facilities necessary to support development. It might also include milestones before lands in various phases can have development commence.

The Specific Plan should be updated to incorporate the phasing plan that would allow the DEIR to assess the extent to which a proposed phasing will help mitigate the impacts of the project on rural residential neighborhoods and the conversion of farmlands. Such an assessment should be included in a recirculated DEIR.

H. The DEIR Does Not Assess the Adequacy of Existing City Ordinances to Support the Existing Rural Residential Neighborhoods Within the Plan.

LAFCO Resolution USOI-144, Section 8-3, confirms that the Specific Plan is to, among other aspects, emphasize the retention of characteristics in rural residential neighborhoods within the Plan's environs after their annexation into the City. This policy concerns an important environmental impact of the Specific Plan.

The Plan and the DEIR simply state that the existing uses on those parcels will remain protected under the Annexation Overlay Ordinance approved in City of Fresno Bill 2008-10. (Specific Plan, p. 29, DEIR, p. 2-8). Unfortunately, the text of bill 2008-10 is not set forth in the Specific Plan or the DEIR, and it is not a document that is readily available for public review. However, the City's Development Code includes Section 15-1606, that establishes an Annexed Rural Residential Transitional (ANX) Overlay District, which was codified as part of the adoption of the City's most recent comprehensive update to its Development Code in Ordinance 2015-39, effective January 9, 2016. It is unclear whether the provisions in Municipal Code Section 15-1606 is what was intended to be referenced in the DEIR and Specific Plan, or whether other provisions were intended.

The Annexation Overlay Zone in Municipal Code Section 15-1606 does protect a range of existing uses. However, it allocates such uses and their structures to legal



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nonconforming status. That status may create difficulties with lenders and buyers of property, and the imposition of those constraints are not consistent with protecting the maintenance of such rural residential uses. That legal nonconforming status will also hinder appropriate expansion of existing legal nonconforming structures that may be reasonable and desirable to maintain thriving rural residential neighborhoods.

In fact, LAFCO Resolution USOI-144, Section 8-3, intends that the Specific Plan's program for retention of rural residential neighborhoods in annexed lands would allow for appropriate improvements needed to incorporate their characteristics into the urban landscape. While the City's legal nonconforming regulations at Municipal Code sections 15-404 and 15-405 allow some expansion in single family residential structures, similar expansion of other ancillary structures is not permitted except with the attainment of subsequent entitlements. In addition, expansions of single-family residential structures requires that the improvements conform to the standards of the newly allocated Base District. (Municipal Code Section 15-405-E-1).

LAFCO Resolution USOI-144, Section 8-3 has emphasized the importance of a program for annexation that is intended to emphasize the retention of characteristics of rural residential neighborhoods that make them desirable places to live. The Specific Plan does not include such a program. Further, the DEIR does not evaluate the characteristics of the existing rural residential neighborhoods. Nor does it evaluate the adequacy of the provisions of Municipal Code Section 15-1606, and the associated noncomforming legal use standards of the City, to assess whether those annexed rural neighborhoods will be able to effectively maintain their qualities intended by LAFCO Resolution USOI-144.

The DEIR should be updated to include an assessment of the existing City ordinances that will govern existing residential neighborhoods within the Plan after annexation, and whether those standards adequately protect their retention. It should also recommend any refinements to the existing City Ordinances where necessary. That information should be included in an updated and recirculated DEIR.

I. <u>Elements of the DEIR's Mitigations of Water Supply Impacts Need Clarification</u>.

The Specific Plan, at p. 105, under Policy RC-4.2, states that the North Kings Groundwater Sustainability Plan was approved in 2019. The Plan approval was subject to subsequent review and approval by the Department of Water Resources, and that plan was conditionally approved by the Department of Water Resources in 2023.

More importantly, Policy RC-4.2 states that all groundwater drawn to serve development in the SEDA will be replaced "with at least an equal volume via infiltration, pumping or other means". However, both the Specific Plan and the DEIR fail to explain how groundwater is to be replaced by pumping, or what the other means are that it intends to reference.



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Policy RC-4.2 also states that the necessary recharge may not necessarily occur the same year as withdrawals, but asserts that over time total recharge will match total withdrawals. While all of those goals and intentions are desirable, some maximum period of mismatch between withdrawal and recharge should be identified. Consideration of impacts to sustainable management criteria should also be considered.

The City is situated on top of a single unconfined aquifer. To offset groundwater pumping, recharge must occur within a reasonable distance that demonstrates effectiveness. We are not opposed to regional recharge provided the groundwater pumping does not cause widespread regional impacts. Recharge outside of the North Kings Groundwater Sustainability Agency would not be considered reasonable.

The DEIR includes, as an appendix, a Water Technical Study prepared by Blair, Church, and Flynn Consulting Engineers (the "Water Study"). The Water Study identifies surface water supplied from both the United States Bureau of Reclamation (USBR) and the Fresno Irrigation District (FID) through existing agreements for groundwater recharge and potable use after treatment. According to the Water Study, the most recent FID agreement signed in 2016 provided for a maximum of 29% of FID's Kings River water supply to be available to the City. It is unclear per the FID agreement whether the water supply was intended for use within the Specific Plan boundary. The FID agreement, specifically Section 13.(c), states that "City and District mutually agree that the increase in percentages reflected in this Section 13 include allowances for moderate growth in Growth Area 1 of City's Sphere of Influence as shown in Exhibit C (as depicted as Figure IM-2 of the Fresno General Plan)." The DEIR should be revised to clarify this issue.

Mitigation Measure HYD-2b requires that the City must, prior to exceeding existing water supply capacities, evaluate the water supply system and not approve development in the Specific Plan until additional capacity is provided through water system improvements in accordance with the City Metropolitan Water Resources Management Plan. We recommend that some threshold be adopted to confirm that there is a trigger, prior to the actual point of exceeding existing water supply capacity, when the evaluations will be performed, and when the improvements will be required.

The DEIR, at page 3.10-9, advises that the City is in the process of updating its Metropolitan Water Resources Management Plan (the "Metro Plan"). Mitigation Measure HYD-2d provides that new and expanded groundwater recharge facilities will be in accordance with that plan, and that those measures will be completed prior to new applications for future development in the Specific Plan. However, because the Metro Plan has not yet been updated, it is unclear how HYD-2d can be an effective mitigation measure when the standards that may be included in that Metro Plan update have not yet been determined. It is also unclear whether full construction of all intended recharge facilities within the Specific Plan, as identified by the Metro Plan, will be completed as part of the requirement that new and expanded recharge facilities will be completed prior to new applications for future development. This element of the Mitigation Measure



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should be clarified. These requirements could also be better assured if the Specific Plan incorporated a phasing program that focused development of necessary public facilities on the areas intended for priority development.

J. County as a Responsible Agency.

Section 2.5.2 of the DEIR should be updated to identify Fresno County as a Responsible Agency. That is because the County will be required to issue encroachment permits for construction within the County's road right-of-way, coordinate Williamson Act Contract cancellations, and approve required property exchange agreement(s) associated with future annexations in SEDA.

K. Conclusion.

Based on the foregoing, we respectfully request that the City not consider the Project DEIR until after there have been appropriate updates to the Specific Plan and the DEIR, to address the matters detailed above.

Sincerely, McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP

Jeffrey M. Reid

cc: Bernard Jimenez, Planning & Resource Management Officer Fresno County Department of Public Works and Planning

Enc. LAFCO Resolution USOI-144

RESOLUTION NO. USOI-144

FRESNO LOCAL AGENCY FORMATION COMMISSION FRESNO COUNTY, CALIFORNIA

REQUEST FOR REVISION TO THE)	ADOPTED FINDINGS AND APPROVED
CITY OF FRESNO SPHERE OF	í	WITH CONDITIONS
INFLUENCE)	

WHEREAS, in order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities, this Commission has the authority under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act") to develop and determine the sphere of influence of each local governmental agency within the County and enact policies designed to promote the logical and orderly development of areas within the sphere (California Government Code Section 56425(a); and

WHEREAS, this Commission has the authority to establish spheres of influence, or to revise or amend adopted spheres of influence of local governmental agencies after a noticed public hearing called and held for that purpose (California Government Code Section 56427); and

WHEREAS, a proposal for a revision to a local government's adopted sphere of influence may be made by the adoption of a resolution of application by the legislative body of an affected local agency (California Government Code Section 56654(a); and

WHEREAS, the City Council of the City of Fresno, California, adopted a resolution of application (Resolution No. 2005-507) on the 6th day of December 2005, applying to the Fresno Local Agency Formation Commission (LAFCo) for consideration of an amendment (hereafter referred to as the "Proposal" or "proposed SOI revision") to the City's Sphere of Influence to include the "Southeast Growth Area", consisting of approximately 8,863 acres, as identified in the Fresno 2025 General Plan; and

WHEREAS, the City of Fresno filed a certified copy of said resolution of application with the Executive Officer pursuant to California Government Code Section 56756; and

WHEREAS, the affected territory is generally described as an area bounded on the north by the Gould Canal, to the east by McCall, Highland and Temperance Avenues, on the south by Jensen, and North Avenues, and on the west by the existing Fresno Sphere of Influence boundary along Minnewawa, Temperance, and Locan Avenues, as depicted in "Exhibit A" attached to this resolution and made a part hereof; and

WHEREAS, said resolution of application (Resolution No. 2005-507) stated that Article VI of the City / County Amended and Restated Memorandum of Understanding (hereafter referred to as the "MOU" or "tax sharing agreement") requires the City to meet various conditions before proceeding with development within the Southeast Growth Area; and

WHEREAS, said resolution of application states that the City has met all the conditions identified in Article VI of the MOU with the exception of the preparation and approval of the Southeast Industrial Growth Area Business Park Specific Plan and attainment of the 60% residential development build-out in selected Community Plan Areas, and that provided the SOI amendment is approved, the City will move forward with the preparation and adoption of various Community and Specific Plans; and

WHEREAS, at its March 16, 2005 hearing the Local Agency Formation Commission requested more detailed environmental analysis, especially with respect to issues related to the preservation of agricultural lands; and

WHEREAS, in response to the request for more detailed environmental information, the City caused to be prepared a more detailed initial study to support a new Environmental Assessment (No. SOI-05-01, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR 10130) dated September 29, 2005); and

WHEREAS, the City Council reviewed the more detailed environmental information and found that the information supports and reaffirms the original finding and made a new finding based on the new information that there is no substantial evidence in the record that the "Southeast Growth Area SOI Amendment" may have an adverse impact on the environment; and

WHEREAS, as commended by Section 56425 (b) of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the City of Fresno presented the proposal to the Fresno County Board of Supervisors and requested them to support and concur with the City's request; and

WHEREAS, at its January 31, 2006 hearing, by a vote of three to two, the Board of Supervisors approved its support of a resolution of reapplication to LAFCo for an amendment to the City's SOI to include the Southeast Growth Area; and

WHEREAS, pursuant to Section 56425 (b), when there is an agreement between the County and a city seeking an SOI amendment the Commission shall give great weight to the agreement in its final determination of the city's SOI; and

WHEREAS, said application for an SOI revision was deemed complete and accepted for filing by the Interim Executive Officer and a Certificate of Filing was issued pursuant to California Government Code Sections 56651 and 56658(g), and accordingly Commission proceedings were deemed initiated; and

WHEREAS, the Executive Officer set this matter for hearing on April, 12, 2006, at the hour of 1:30 p.m., and caused notice of said hearing to be published in accordance with California Government Code Section 56153 in a newspaper of general circulation which is circulated within the territory affected by the sphere of influence proposed to be amended; and

WHEREAS, pursuant to Government Code Section 56665 the Executive Officer reviewed said application and all supporting materials and prepared a report to this Commission, including a recommendation for approval with specified conditions, said report having been mailed to the Commission, the officers or persons designated in the application, each local agency whose boundaries or sphere of influence would be changed by the Proposal, and each affected local

agency that has filed a request for a report with the executive officer, at least five days before said hearing; and

WHEREAS, this Commission reviewed the Executive Officer's report and recommendation and all supporting materials, including Initial Study No. SOI-05-01, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR 10130) dated September 29, 2005, the Master Environmental Impact Report, and all other documents that were incorporated by reference into said report, pursuant to Government Code Section 56665(d), which report was duly considered by this Commission pursuant to State law; and

WHEREAS, said Proposal was considered by this Commission at said hearing on the 12th day of April, 2006, at which the Executive Officer presented staff's report and recommended approval of the Proposal with specified conditions, and testimony was presented in favor and against the Proposal; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all affected agencies and interested parties wishing to speak on said application; and

WHEREAS, as Responsible Agency, this Commission independently reviewed and considered the information in the Draft and Final MEIR for the Fresno 2025 General Plan and the City's subsequent "Environmental Assessment / Initial Study" and the City's "Finding of Conformity" issued pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act "CEQA") prior to taking its action, and determined that the City's finding is appropriate, pursuant to State law, and that the Proposal is consistent with these documents and that these documents are sufficient on which to make a determination on the proposed sphere of influence revision.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

<u>SECTION #1</u> – This Commission hereby adopts the findings required by the California Environmental Quality Act (CEQA) listed below:

- Acting as a Responsible Agency under CEQA Guidelines, the Final Master Environmental Impact Report prepared for the 2025 Fresno General Plan by the Lead Agency, the City of Fresno, has been prepared in accordance with the requirements of CEQA Guidelines (Public Resources Code, Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines – California Code of Regulations, Title 14, Section 15000 et seq.).
- 2. This Commission considered the information in the Final Master Environmental Impact Report and the Initial Study upon which the Lead Agency determined said project to be within the scope of the "Master Environmental Impact Report (MEIR) No. 10130" prepared and certified for the 2025 Fresno General Plan, prior to making a determination about the Proposal, together with any and all comments received during the public review process pursuant to the California Environmental Quality Act (CEQA), and finds on the basis of the whole public record before the Commission, including the Final Master Environmental Impact Report and the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Lead Agency's determination pursuant to Section 21151.1 of the California Public Resources

Code (California Environmental Quality Act "CEQA") reflects the Lead Agency's independent judgment and analysis pursuant to CEQA Section 15074, et seq. (Public Resources Code Sections 21083 and 21087).

3. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, the Commission hereby finds that the Lead Agency's determination is appropriate, pursuant to Section 21151.1 of the California Public Resources Code (California Environmental Quality Act "CEQA"), and finds that that Final Master Environmental Impact Report and the subsequent Initial Study are sufficient on which to make a determination on the proposed change of organization.

<u>SECTION #2</u> – This Commission hereby finds that the proposed change of organization is consistent with LAFCo Policies, Standards and Procedures Section 330, "Sphere of Influence Updates and Revisions," and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION #3 – This Commission hereby finds that the April 12, 2006 public hearing and consideration of the proposed SOI revision were legally noticed pursuant to California Government Code sections 56427 and 56153, and that all notices related to this matter were duly given in accordance with State law, including, but not limited to, the Act and CEQA Guidelines and governing laws.

SECTION #4 – This Commission finds that, pursuant to California Government Code section 56426.5(b)(1)(2) the proposed SOI revision will facilitate planned, orderly, and efficient patterns of land use and provision of services. The public interest in the change of organization substantially outweighs the public interest in the continuation of existing Williamson Act Contracts in the affected territory beyond the current expiration date of said Contracts. Additionally, the change of organization is not likely to adversely affect the continuation of said Contracts beyond their current expiration date. In making this determination, the Commission considered all relevant factors pursuant to California Government Code section 56426.5(b)(2)(A-C).

<u>SECTION #5</u> - This Commission Determines that the MUNICIPAL SERVICE REVIEW AND SERVICES PLAN dated December 2005 prepared by the City of Fresno conforms to the requirements of Section 56430 of the California Government Code, and hereby adopts the proposed Written Determinations contained therein with the following addition:

Government Structure Options (Page 61) – Add: 4. As the provider of a full range of urban services the City is the logical agency to provide these services in the subject area.

<u>SECTION #6</u> – This Commission hereby makes the following determinations pursuant to Government Code Section 56425(e):

- The proposed Sphere of Influence expansion will accommodate anticipated growth needs
 of the City of Fresno in the affected area, and, with certain recommended conditions for
 future annexations therein, will provide for all existing and planned uses.
- The present and probable needs for public facilities and services in the area will be provided for as identified in the MUNICIPAL SERVICE REVIEW AND SERVICES PLAN

prepared by the City of Fresno. The need for additional facilities will be identified and addressed during the preparation and adoption of the Community or Specific plan for the Southeast Growth Area as required in conditions 1 and 2 of Section 8, below.

- 3. The present capacity of public facilities and adequacy of public services that the City provides or is authorized to provide have been adequately identified in the MUNICIPAL SERVICE REVIEW AND SERVICES PLAN prepared by the City of Fresno, and additional facilities needs will be identified and addressed during the preparation and adoption of the Community or Specific Plan for the Southeast Growth Area as required in conditions 1 and 2 of Section 8, below.
- 4. No social or economic communities of interest have been identified in the subject area that are deemed relevant to the Commission.

SECTION #7 — This Commission hereby approves the proposed revision to the City of Fresno Sphere of Influence to include the "Southeast Growth Area" (approximately 8,863 acres) within the City's adopted sphere of influence (LAFCo File No. USOI -144), as depicted in Exhibit "A".

<u>SECTION #8</u> – If and when the City submits an application for annexation for any affected parcels within the amended SOI, the City shall complete the following plans and programs prior to the Commission's approval of such an application:

- Prepare and adopt a Community or Specific Plan for the Southeast Growth Area, including
 the preparation, public review, and certification of environmental documents and findings
 pursuant to CEQA. This plan shall include, but not be limited to, policies to address the
 requirements of Section 56426.5 of the California Government Code for lands subject to
 Williamson Act contracts.
- Prepare and adopt a Master Service Delivery Plan for the Southeast Growth Area.
- 3. Prepare, adopt and begin to implement a program for annexing the designated open space areas in the approach corridor of the Fresno Air Terminal (areas designated with an "R" on the 2025 General Plan map), and for rural residential neighborhoods within the City's existing Sphere of Influence in the vicinity of the Southeast Growth Area. This program shall provide for logical and reasonable development, discourage urban sprawl, preserve open-space and prime agricultural lands, efficiently provide for government services, and encourage orderly development.

The rural residential neighborhood annexation program should emphasize the retention of characteristics that make the neighborhoods desirable places to live, while making provisions for appropriate improvements needed to incorporate such characteristics into the urban landscape. The program should include an outreach effort demonstrating to residents that annexation into the City would provide for an enhanced living environment preferable to staying in an unincorporated enclave, surrounded or substantially surrounded by the City. This program shall also be applicable within the Southeast Growth Area, and shall be reflected in the Specific Plan prepared by the City as required by condition 1, above.

The annexation program for the designated Open Space areas in the Fresno Air Terminal approach corridor should be undertaken as a means to preserving open space lands that would otherwise not be proposed for annexation; thereby providing for the efficient extension of government services to areas beyond the approach corridor, and providing for orderly boundaries that will facilitate annexation of other properties proposed for urban development.

SECTION #9 - The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by state law.

ADOPTED THIS 12th DAY OF APRIL, 2006, BY THE FOLLOWING VOTE:

AYES:

Commissioners Lopez, Rodriguez, Fortune, Alternate County Commissioner

Larson, and Waterston.

NOES:

None

ABSENT:

Anderson

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

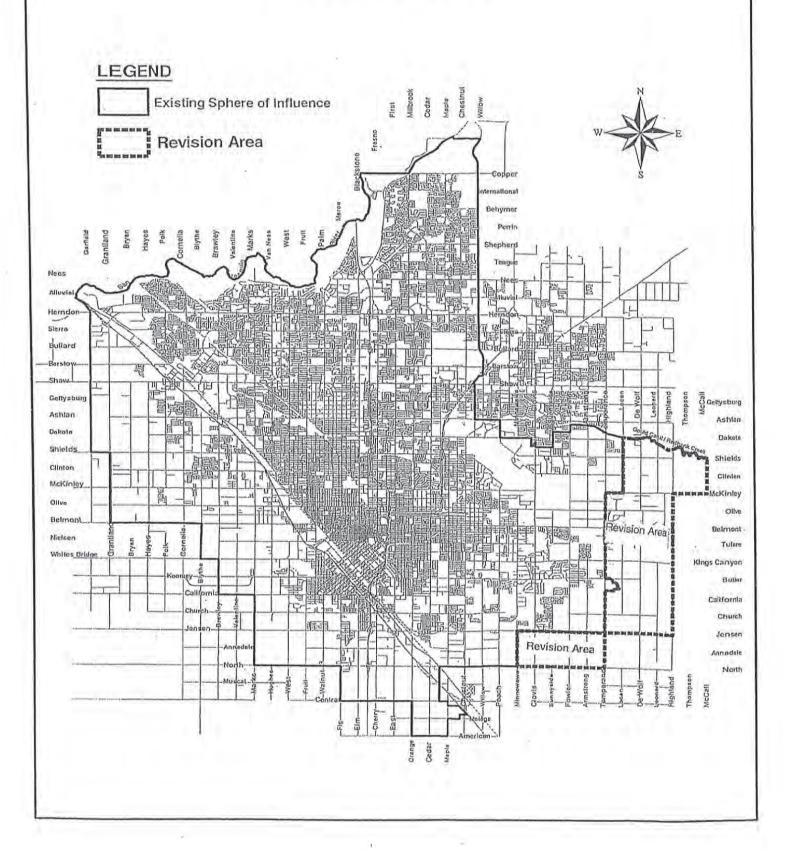
CERTIFICATION OF CHAIRMAN

I, Bob Waterston, Chairman of the Fresno Local Agency Formation Commission, Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 12th day of April, 2006.

Bob Waterston, Chairman

Fresno Local Agency Formation Commission

EXHIBIT "A" RESOLUTION NO. USOI-144



Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File 310. "BG", "BL", "BM", "BS", "CS", "DS", "DV" 410.214

August 28, 2023

Ms. Adrienne Asadoorian, Planner City of Fresno Planning and Development Department 2600 Fresno Street, Rm. 3065 Fresno, CA 93721

Dear Ms. Asadoorian,

Fresno Metropolitan Flood Control District (FMFCD) Comments on the Notice of Availability of a Draft Program Environmental Impact Report for the Proposed Southeast Development Area Specific Plan Project, Fresno, California

Adopted Drainage Areas "BG", "BL", "BM", "BS", "CS", "DS", "DV" and Proposed Drainage Areas "DT", "DU", "DW", "DX", "DY", "DZ"

The Fresno Metropolitan Flood Control District (FMFCD) has reviewed the adopted and proposed Master Plan storm drainage systems for the areas located within the Southeast Development Area Specific Plan (SEDA Plan). The adopted Master Plan drainage systems were designed using the previously adopted General Plan land uses and the proposed Master Plan drainage systems are based on the SEDA Plan land uses as shown on Exhibits 1-1 and 2-2 of the DPEIR.

As noted in FMFCD's prior letter dated March 25, 2022, in Master Plan areas where no drainage facilities have been constructed, the Master Plan can be planned to accommodate the new land uses and pipe alignments within the SEDA Plan. FMFCD has located the proposed basin locations, as shown on Exhibit No. 1, needed to serve the SEDA Plan and recommends that the City incorporate the proposed basin locations into the SEDA Plan Proposed Land Use Map. Additional language to provide for an alternate land use designation for the proposed basins should be included in the SEDA Plan. FMFCD previously requested that the proposed basins, not yet acquired by FMFCD, be shown in its tentative location, but may be relocated within a mile of the proposed site. This will allow FMFCD to purchase land in the general vicinity of the proposed site without a Specific Plan update should the proposed basins not be located exactly on the parcel as shown on the SEDA Plan. The proposed basin locations are an essential element to the proposed Master Plan drainage systems as they take into consideration topography, land use, existing/proposed street alignments, pipeline collection system layout, and other planimetric features. This is an important element that must be addressed in the SEDA Plan.

k:\letters\environmental impact report letters\dpeir seda specific plan.docx

Ms. Adrienne Asadoorian, Planner City of Fresno Planning and Development Department Notice of Availability of a Draft Program Environmental Impact Report for the Proposed Southeast Development Area Specific Plan Project August 28, 2023 Page 2

Upon review of the SEDA Plan land uses for the areas within the adopted Master Plan drainage systems it is determined that the Master Plan can accommodate the new land uses with revisions to the existing drainage system. Approximately 55 acres located northwest of McKinley and McCall Avenues is located within the SEDA Plan but not within an adopted drainage area. This area currently drains to the FMFCD Fancher Creek Basin. FMFCD has identified 94 acres outside of the SEDA Plan, located southeast of Temperance and Jensen Avenues that is planned to be served by a proposed Master Plan drainage system. This area is bounded by the Briggs Canal and does not have an alternate solution to be served due to the topographic constraints.

FMFCD shall be notified of any revisions to the SEDA Plan Proposed Land Use as changes may effect the existing and proposed Master Plan drainage systems.

Upon adoption of the SEDA Plan and EIR by the City of Fresno, FMFCD will prepare an update to its Municipal Services Review (MSR), for Fresno LAFCO consideration. The MSR is a LAFCO requirement and will demonstrate that FMFCD has the ability to extend flood control and drainage services into the SEDA Plan, as development occurs. Once the District's MSR update (covering all of the SEDA Plan) has been approved by LAFCO, FMFCD can proceed with a Sphere of Influence (SOI) Amendment designed to fold SEDA into the FMFCD SOI.

LAFCO is the CEQA Lead Agency for the Sphere of Influence Amendment, and FMFCD is the CEQA Lead Agency for subsequent annexation into SEDA, which is why it is critical that the SEDA EIR evaluate actions and impacts specific to the extension of flood control and drainage services into the SEDA Plan. Should the EIR fail to address extending FMFCD services into the SEDA Plan and fail to extend tax sharing services to FMFCD, the City/County will be required to fund the design and implementation of the Master Plan storm drainage system. LAFCO and FMFCD will rely on the City's analysis and treatment of environmental impacts in formulating their own CEQA responses to the demands of SEDA.

FMFCD may request that it's progressive annexation into SEDA take the form of LAFCO reorganizations, where our annexations mirror the sequence and configuration of City annexation. In this case, in the course of City pursuit of each annexation into SEDA, the City would present LAFCO with a reorganization proposal, where one LAFCO action simultaneously authorizes the City annexation, the FMFCD annexation, annexation by other urban service providers, and detachment from the County and special districts providing services to the unincorporated area (e.g. rural fire protection districts).

Ms. Adrienne Asadoorian, Planner
City of Fresno Planning and Development Department
Notice of Availability of a Draft Program Environmental Impact Report
for the Proposed Southeast Development Area Specific Plan Project
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Page 3

Comments specific to the Southeast Development Area Specific Plan

FMFCD offers the following comments specific to the review of the SEDA Plan (The individual pages are included, and the section or sentence has been highlighted for your reference):

- 1. In all references to proposed basins located within the SEDA Plan, FMFCD suggests the proposed basin locations be identified on Exhibits 1-1 and 2-2 of the Specific Plan Map as previously outlined on Exhibit No. 1 of FMFCD prior letter dated March 25, 2022. Identifying the proposed basins within the SEDA Plan is essential to the available land use acreages prior to approval of the Specific Plan.
- 2. Page 2-6, 2.3.2 Proposed Specific Plan Buildout Table 2-1: Flood Control Basin are included in the proposed specific plan acreages. FMFCD suggests the proposed basin locations be identified on Exhibits 1-1 and 2-2.
- 3. Page 2-14: Replace the word Municipal with Metropolitan.
- 4. Page 3.2-19, Impact AG-2 and Exhibit 3.2-2: Informational purposes only, FMFCD has identified one (1) proposed basin site, Basin "DY" is located on properties within the Williamson Act Contract.
- 5. Page 3.10-11, Hydrology and Water Quality Paragraph 2: Correct 164 to 165. Replace "...of 2-year storms and for at least" with "...not less than". Replace "...rainfall" with "...annual runoff". Delete "...or relocated".
- 6. Page 3.10-12, Hydrology and Water Quality Paragraph 3: Replace "...a 2-year storm and for at least" with "...not less than". Replace "...rainfall" with "...annual runoff".
- 7. Page 3.10-12 and 13, Table 3.10-1: FMFCD was not given the opportunity to review the SEDA Specific Plan Storm Drain Technical Study dated June 10, 2022. We are therefore providing the most current information available and suggest revisions be made to Table 3.10-1 to most accurately address the Drainage Area summaries.
- 8. Page 3.10-34, Hydrology and Water Quality, Paragraph 1 and 2: Replace the word Municipal with Metropolitan.

Ms. Adrienne Asadoorian, Planner
City of Fresno Planning and Development Department
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Page 4

- 9. Page 3.10-37, Hydrology and Water Quality, Paragraph 6: Replace "...a 2-year storm and for at least" with "...not less than". Replace "...rainfall" with "...annual runoff".
- 10. Exhibit 3-17.1 Proposed Major Street Circulation: FMFCD's Basin "DS", located at the northwest corner of Clinton and Leonard Avenues, was acquired in anticipation of Clinton Avenue not going through between Leonard and DeWolf Avenues. FMFCD requests the SEDA plan remove this circulation plan for Clinton Avenue based on the proposed vacation documents to be submitted by CUSD to the County.
- 11. Page 3.18-19, Utilities and Service Systems, Paragraph 3: Replace "...of two year storms and for at least" with "...not less than". Replace "...rainfall" with "...annual runoff".
- 12. Page 3.18-19, Utilities and Service Systems, Paragraph 5: Delete "...Community Block" and add "...from the Federal and State governments".
- 13. Page 3.18-20, Utilities and Service Systems, Paragraph 5: Replace "...a 2-year storm and for at least" with "...not less than". Replace "...rainfall" with "...annual runoff".

Thank you for the opportunity to comment. If you have any questions or concerns regarding our comments, please feel free to contact the District at (559) 456-3292.

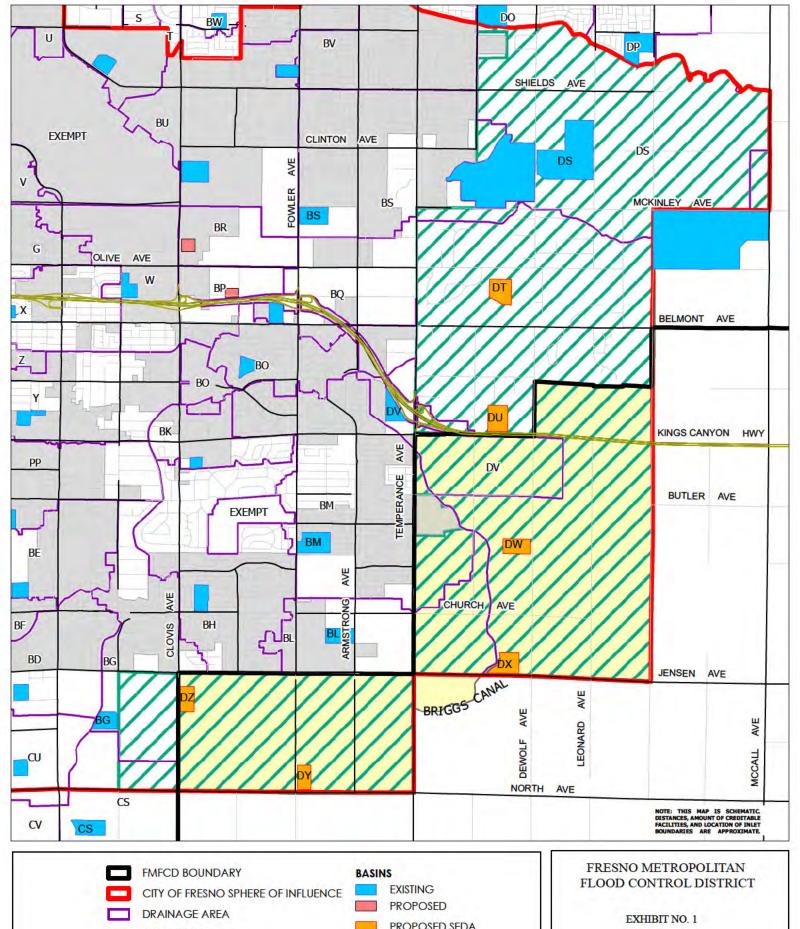
Respectfully,

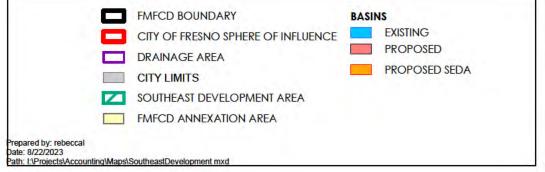
Denise Wade

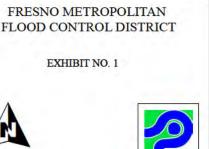
Master Plan Special Projects Manager

DW/lrl

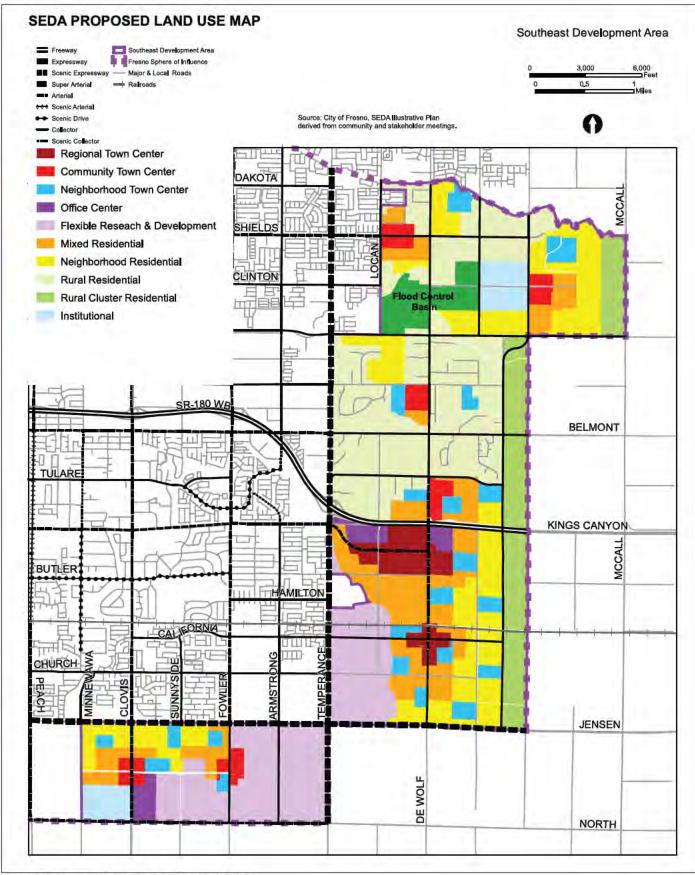
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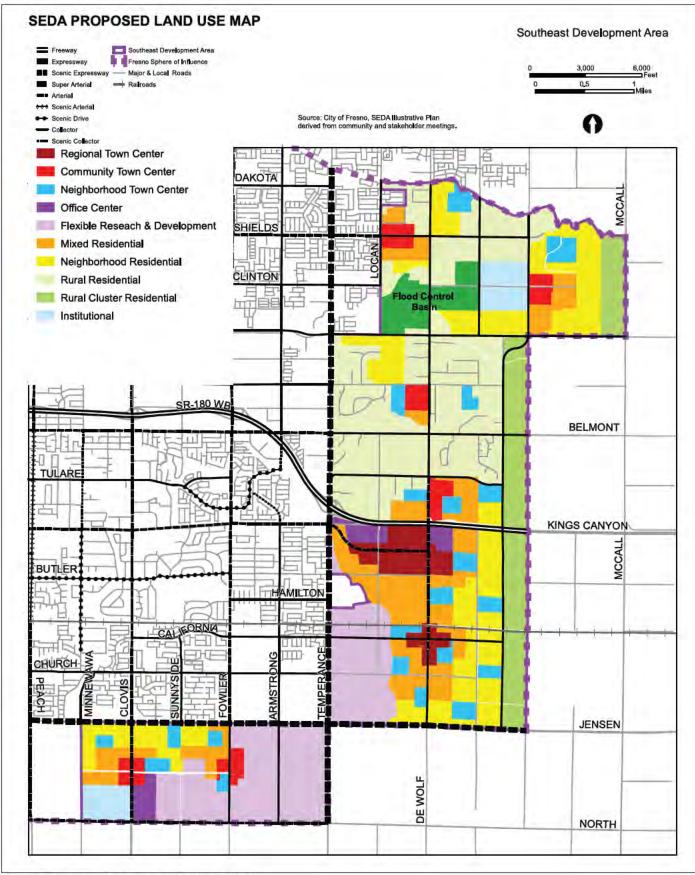
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Source: City of Fresno, SEDA Regulating Districts, 07/2023.



Exhibit 1-1 Specific Plan Map



Source: City of Fresno, SEDA Regulating Districts, 07/2023.





would include major transit lines, mixed-use centers, diverse residential districts, employment districts, open space, agriculture, and green infrastructure.

2.3.2 - Proposed Specific Plan Buildout

The Land Use Map defines the physical extent of Land Use Districts, as well as major roadway alignments which constitute the buildout of the proposed project as shown in Exhibit 2-2. It also identifies potential locations for certain open space and institutional features. These locations, as well as certain roadway configurations and specific transit alignments, are more closely specified in the Infrastructure Plan. The implementation of the Land Use Map is administered through the application of Land Use District Standards and Street and Circulation Standards. The proposed project land use categories by district are shown in Table 2-1 along with the total proposed acreage. Descriptions of each of the associated land use categories are further discussed below.

Table 2-1: Proposed Specific Plan Acreages

Land Use	Proposed Plan Acres	Percentages					
Mixed-Use Land Uses							
Regional Town Center	310	3.5%					
Community Town Center	290	3.3%					
Neighborhood Town Center	520	5.9%					
Mixed-Use Land Uses Total	1,120	12.7%					
Residential Land Uses							
Mixed Residential	1,090	12.4%					
Neighborhood Residential	1,520	17.3%					
Rural Residential	2,160	24.5%					
Rural Cluster Residential	810	9.2%					
Residential Land Uses Total	5,580	63.4%					
Employment Land Uses							
Office Center	160	1.8%					
Flexible Research and Development	1,380	15.7%					
Institutional	280	3.2%					
Employment Land Uses Total	1,820	20.7%					
Other Land Uses							
Flood Control Basin	280	3.2%					
Total	8,800	100%					
Source: City of Fresno 2022.							

2-6 FirstCarbon Solutions

the proposed project. This Draft PEIR will provide environmental information to these agencies and other public agencies, which may be coordinated with other agencies, as part of project implementation. These agencies may include, but are not limited to, the following:

- California Department of Transportation
- California State Water Resources Control Board (State Water Board)
- California Department of Fish and Wildlife (CDFW)
- Central Valley Regional Water Quality Control Board (Central Valley RWQCB)
- Fresno Local Agency Formation Commission
- San Joaquin Valley Air Pollution Control District (Valley Air District)
- Fresno Municipal Flood Control District
- Fresno Irrigation District

Level of Significance After Mitigation

Significant and unavoidable impact.

Conflict with Existing Zoning or Williamson Act Contract

Impact AG-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

According to the General Plan, the City and its SOI includes lands under Williamson Act Contract, and the majority of these lands are located within the Plan Area. Exhibit 3.2-2 shows the locations of the Williamson Act Contract parcels within the Plan Area. Comparing these parcels to Exhibit 2-2, the majority of land within the Plan Area that is under Williamson Act Contract would be designated for non-agricultural land uses (such as various types of residential, regional and community center land uses) with implementation of the Specific Plan. The General Plan PEIR identifies that implementation of the approved General Plan would conflict with land under Williamson Act Contracts, which would result in a significant and unavoidable impact.

Therefore, the continued implementation of the approved General Plan as well as implementation of the proposed Specific Plan could conflict with existing Williamson Act Contracts because non-agricultural uses would be allowed on lands under a Williamson Act Contract. As a result, the continued implementation proposed Specific Plan could result in a significant impact on existing Williamson Act Contract land.

Therefore, project impacts would remain significant and unavoidable. No feasible mitigation measures are available.

Level of Significance Before Mitigation

Potentially significant impact.

Fresno General Plan PEIR Mitigation Measures

None.

Project Specific Mitigation Measures

No feasible mitigation measures are available.

Level of Significance After Mitigation

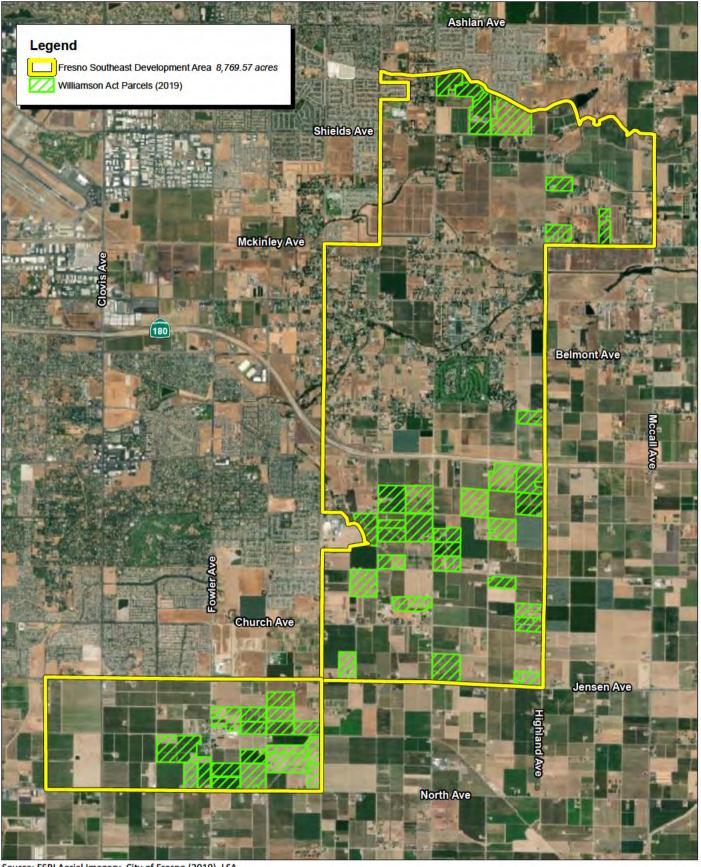
Significant and unavoidable impact.

Forest Land and Timberland

Impact AG-3:

The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

As identified in the General Plan, no land within the City or SOI is used for forestry purposes and no land within the City or SOI is designated or zoned for forestry resources. Therefore, the Plan Area



Source: ESRI Aerial Imagery. City of Fresno (2019). LSA

ENVIRONMENTAL IMPACT REPORT

the Storm Drainage and Flood Control Master Plan (Storm Drain Master Plan), which is developed and updated by FMFCD. FMFCD's Storm Drain Master Plan divides the service area into many local drainage areas of 1–2 square miles throughout Fresno. Drainage area boundaries are determined by geographic and topographic features and the economics of providing storm drainage service to the watershed. Storm drainage facilities within a drainage area typically consist of storm drain inlets, pipelines, retention basins, urban detention (water quality) basins, and stormwater pump stations. Surface grading improvements such as streets, curbs, gutters, and valley gutters are part of the City of Fresno infrastructure, but the general grading of these features is governed by the Storm Drain Master Plan to provide a coherent implementation of drainage within Fresno.

All inlets, pipes, and pump stations within each drainage area are maintained by the FMFCD. The gutters, along with public streets and sidewalks, are maintained by the City's Street Maintenance Division. It is assumed that this maintenance agreement will remain in place for the foreseeable future. The FMFCD's Storm Drain Master Plan includes 164 adopted or proposed drainage areas, most served by a retention or detention facility. ³⁰ FMFCD basins have been sized for capacities of 2-year storms and for at least 60 percent of average rainfall; ³¹ FMFCD allows a 20 percent change in volume before basins need to be resized or relocated.

Stormwater collection in the City begins with street gutters that collect and convey stormwater runoff to storm drain inlets. The runoff is collected in these inlets and delivered to FMFCD's pipe networks, pump stations, and infiltration basins for groundwater recharge. Most runoff is discharged into recharge basins, but during heavy rainfall events, excess runoff overflows into a system of relief channels and canals that discharge to the San Joaquin River, its tributary streams, local agricultural canals, and FID facilities.

Storm drain inlets are located at low points in the topography as determined by the Storm Drain Master Plan. Pipeline alignments and sizes are also shown on the Storm Drain Master Plan. Pipeline alignments are subject to change as development proposals are put forward by development projects. Retention basin and urban detention basin locations and sizes are part of the Storm Drain Master Plan as well. Basins are sited in the topographic low point of the drainage area. All of the storm drainage pipelines within the drainage area are directed to the basin for that area. Retention basins store and percolate stormwater from the drainage area if time between storms permits; otherwise, the water is pumped to designated irrigation canals. Urban detention basins provide quiescent (still) conditions for the removal or settling out of suspended solids prior to discharge of the stormwater to the San Joaquin River.

The Fresno-Clovis Metropolitan area consists of drainage areas that are completed (e.g., all Master Planned facilities are constructed and functional) or in the process of being completed (e.g., portions of the retention basin, pipelines, and inlets are constructed and other portions are not). For the drainage areas that are in the planning stage, the planning area may be planned and documented and the retention basin land may be purchased, but no construction has occurred; other areas may not have the land purchased for the basins yet. Implementation of the Storm Drain Master Plan

FirstCarbon Solutions 3.10-11

³⁰ Fresno Metropolitan Flood Control District (FMFCD). 2016. 2016 District Services Plan.

³¹ Ibid.

occurs in response to development activity in newly developing areas and through Capital Improvement Projects (CIPs) in previously developed areas.

Plan Area

In accordance with the Storm Drain Master Plan and other planning documents, the FMFCD is developing improvements for the Plan Area for storm drain facilities. The Plan Area encompasses all or part of the following existing drainage areas: BG, BL, BM, BS, CS, DS and, DV. Proposed drainage areas for SEDA include DT, DU, DW, DX, DY, and DZ. Most of the existing drainage areas include existing storm drain collection facilities, but the proposed drainage areas generally have no existing storm drain facilities. Areas DS and DV are the exceptions in that they are existing drainage areas with basins but have not been built out to Master Plan conditions. FMFCD improvements include storm drain inlets and piping, which are being analyzed and developed in conjunction with the proposed land uses for the Plan Area. Those portions of the Plan Area encompassed in existing drainage areas include Master Planned utilities designed by FMFCD.

There are seven existing basins contributing to stormwater collection for the Plan Area and six proposed basins within the Plan Area. There are also two existing basins outside of the Plan Area that are not part of existing drainage areas, including the Redbank Basin and the Fancher Creek Basin, which may contribute to additional drainage capacity; however, these two basins were not considered in the analyses completed as part of the Storm Drain Technical Study prepared for this Draft PEIR (Appendix I). FMFCD basins are designed for a capacity of a 2-year storm and for at least 60 percent of average rainfall. Per the FMFCD, the proposed drainage areas for SEDA have not been adopted yet, and the basin locations have not been finalized. Table 3.10-1 shows the capacities of both existing basins that serve the Plan Area and proposed basins that will serve the Plan Area.

Table 3.10-1 Drainage Areas and Basin Capacities

Drainage Area Designation	Drainage Area Size ^A (acres)	Basin Volume ^B (AF)	Basin Design Use	Basin Type	Relief Line to FID Facility			
	Existing Drainage Areas/Basins							
BG	755 T <mark>75β.61</mark> t	ext hese1	Nonresidential	Recharge	Yes; Washington Colony Canal			
BL	782 783.63	301.1	Residential	Recharge	No; relief line to Basin BH			
ВМ	1,519	390.4	Residential	Dual Use	No; relief line to Basin BH			
BS	1,341 1190.39	396.7 <mark>401.3</mark>	Nonresidential	Recharge	Yes; Mill Ditch			
CS	854 860.99	346.5	Nonresidential	Recharge	Yes; Washington Canal			
DS ^c	1,960 1958.14	1,383.3	Residential	Undetermined ^D	Yes; Mill Ditch and Redbank Basin			
DV c	505	230.0	Nonresidential	Undetermined ^D	Yes; Briggs Canal and Fancher Creek			

Drainage Area Designation	Drainage Area Size ^A (acres)	Basin Volume ^B (AF)	Basin Design Use	Basin Type	Relief Line to FID Facility		
	Proposed Drainage Area/Basins						
DT	983975.46	232.4	Residential	Undetermined ^D	Yes; Fancher Creek		
DU	1,307 1268.94	323.8	Residential	Undetermined ^D	No; relief line to Basin DV		
DW	756 749.99	233.9	Residential	Undetermined ^D	Undetermined		
DX	879 877.9	304.5	Residential	Undetermined ^D	Yes; Briggs Canal		
DY	749 77 1	295.2	Nonresidential	Undetermined ^D	No; relief line to Basin DZ		
DZ	698 694.5	263.6	Nonresidential	Undetermined ^D	No; relief line to Basin BG		

Notes:

AF = acre-feet

FID = Fresno Irrigation District

FMFCD = Fresno Metropolitan Flood Control District

GIS = Geographic Information System

- A Drainage area sizes obtained from GIS Shape Files provided by FMFCD.
- ^B Basin volumes obtained from H&H calculation sheets provided by FMFCD.
- ^C Existing drainage area and basin but not yet built out.
- ^D Approved use of proposed basins will be determined via coordination between FMFCD and City.

Source: Blair, Church & Flynn Consulting Engineers. SEDA Specific Plan Storm Drain Technical Study. June 10, 2022.

Flooding and Inundation

The City of Fresno is located in the alluvial fans of numerous foothill stream sand creeks that drain the western slope of the Sierra Nevada foothills. These streams include Big Dry Creek, Alluvial Drain, Pup Creek, Dog Creek, Redbank Creek, Mud Creek, and Fancher Creek. Numerous smaller, unnamed drainage courses also drain into the City from the rural areas east of Fresno.

Based on a review of the FEMA Flood Insurance Rate Maps (FIRMs) for the City of Fresno,³² there are areas that are subject to the 100-year flood frequency flood zone as shown in Exhibit 3.10-1. The primary area that is subject to the 100-year flood zone is along the San Joaquin River below the bluffs. There are additional areas in the vicinity of the Fresno International Airport, the SEDA Specific Plan Area in the vicinity of the Redbank Creek Dam, adjacent to SR-180 east of Clovis Avenue, and within an industrial area east of SR-99, south of California Avenue and north of Jensen Avenue. In addition, various detention basins are subject to the 100-year flood zone.

Project Site

According to the FIRMs that include SEDA, a majority of the SEDA Specific Plan Area is outside the 100-year flood zones; most areas are located within Zone X (unshaded) (outside the 500-year floodplain with minimal risk of flooding) as shown in Exhibit 3.10-1.

FirstCarbon Solutions 3.10-13

Federal Emergency Management Agency (FEMA). 2021. National Flood Hazard Layer. Website: https://www.fema.gov/flood-maps/national-flood-hazard-layer. Accessed June 13, 2022.

Fresno Municipal Flood Control District Post-Development Standards Technical Manual

The FMFCD published a Post-Development Standards Technical Manual³⁷ in 2014 to provide development and redevelopment standards to address stormwater quality requirements for projects in areas that do not drain to the Regional Stormwater Management Basin System. Per the manual, five drainage areas in the FMFCD service area do not drain into a stormwater management basin and two areas outside the service area do not drain into a regional stormwater management basin. These post-development requirements were developed to comply with the MS4 Permit maintained for stormwater and non-stormwater discharges from MS4 to waters of the United States. The manual provides guidance and recommendations for implementing stormwater quality BMPs with the intention of improving water quality and mitigating potential water quality impacts from stormwater and non-stormwater discharges.

Fresno Municipal Flood Control District Standard Plans and Specifications

The FMFCD maintains a set of standard specifications and plans intended to serve as requirements for FMFCD improvements and projects. The specifications and plans are maintained and published by FMFCD for use by designers and contractors.

3.10.4 - Methodology

The potential project-related impacts related to hydrology and water quality were evaluated on a qualitative basis due to the programmatic nature of this Draft PEIR. Qualitative impacts were assessed by evaluating the project's potential for impacting hydrology and water quality within the Plan Area based on information regarding the current service commitments and capacities of public service providers within the Plan Area.

Technical studies were developed to analyze the impacts of development under the proposed Specific Plan versus the approved General Plan; the Storm Drain and Water Technical Studies are applicable to this section. General Plan land use classifications and Specific Plan land use classifications were provided by the City of Fresno Planning and Development Department in the form of Geographic Information System (GIS) and Shape files. GIS and Shape files were also obtained from the City of Fresno Department of Public Utilities for the existing facilities in Fresno, including the Plan Area.

The Water Technical Study (Appendix F) focused on the analysis of water demand in the Plan Area and how it may change based on Specific Plan development. For the General Plan land use case, the technical memorandum prepared by West Yost Associates for the City of Fresno General Plan Update Master EIR³⁸ was used in obtaining projected water demand data for SEDA. For the Specific Plan analysis, the water demand factors used were prepared by Akel Engineering as part of the Metro Plan Update.³⁹ The GIS files for the General and Specific Plan land uses were used to determine the total areas of each land use classification. The water demand factors were then used with the area of the corresponding land use classification to determine a total water demand for the Plan Area based

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³⁷ Fresno Metropolitan Flood Control District (FMFCD). Post-Development Standards Technical Manual. June 2014.

³⁸ West Yost Associates. Hydraulic Evaluation of the Proposed 2035 General Plan Land Use Update for the Master Environmental Impact Report. Table 2. Water Demand Comparison for General Land Use Plan Land Changes. January 21, 2013.

Akel Engineering Group Inc. Water and Wastewater Unit Factor Update for Metropolitan Water Resources Management Plan Update. October 2020.

waters or groundwater. Additionally, construction materials such as fuels, solvents, and paints may result in contamination of stormwater and present a risk to surface water quality.

New projects that are 1 acre or larger in size will be required to comply with the General Construction Permit, Order No. 2012-0006-DWQ, issued by the State Water Board, and will need to develop and implement a SWPPP to estimate sediment risk from construction activities to receiving waters, and specify BMPs that would be used by the project to minimize pollution of stormwater.

Future development would be required to prepare, implement, and be consistent with the Construction General Permit, including the SWPPP and BMPs, which would reduce project construction impacts on water quality to less than significant. Therefore, construction impacts associated with water quality standards and WDRs would be less than significant.

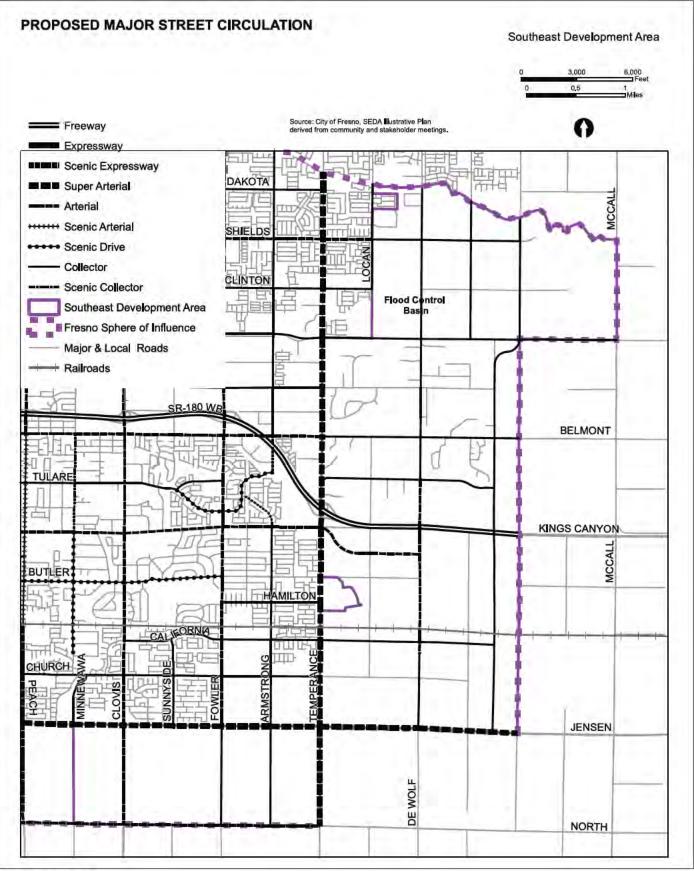
Operation

The Plan Area will eventually be under the jurisdiction of the FMFCD for stormwater and flood control management. (Portions of the Plan Area are currently within FMFCD boundaries, with the rest actively being developed and annexed.) Stormwater runoff is collected by FMFCD facilities and will typically end up in retention basins. These basins will sometimes be forced to discharge water to surface waters during periods of heavy or consistent rain. These discharges may increase the concentration of sediment and pollution found in stormwater.

Typically, stormwater runoff from urban development contains an array of constituents, such as automotive fluids (e.g., fuels, oils, antifreeze), combustion and exhaust byproducts (e.g., lead, cadmium, nickel), sediments, fertilizers, pesticides, herbicides, and nutrients and bacteria pollutants from domestic and agricultural animal waste. These constituents are expelled into the environment throughout the year, where they settle onto the ground surface. During the wet season, stormwater runoff conveys these pollutants downstream, resulting in polluted stormwater runoff, especially during the first storm events of the season.

Water quality treatment for post-construction discharges to stormwater in the FMFCD urban flood control system area is provided by retention basins. Development in the FMFCD Master Plan area is exempt from further water quality requirements as long as the FMFCD's Storm Water Quality Management Plan is implemented. Storm drainage improvements are funded by local drainage fees paid by developments and constructed by either FMFCD, developers, or both. Basins are effective at reducing average concentrations of a broad range of contaminants via filtration through soil and are built to design criteria exceeding Statewide Standard Urban Stormwater Mitigation Plan standards. There are seven existing basins contributing to stormwater collection for the Plan Area and six proposed basins within the Plan Area. FMFCD basins are designed for a capacity of a 2-year storm and for at least 60 percent of average rainfall.

The City is a co-permittee with the FMFCD, the County of Fresno, the City of Clovis, and California State University Fresno in the Phase 1 NPDES Permit for Stormwater Discharges from MS4s. This Phase 1 MS4 Permit requires that the City and its co-permittees implement water quality and watershed protection measures for all development projects. The WDRs contained in the NPDES Permit have been designed to be consistent with the water quality standards and goals established



Source: City of Fresno





rural streams management, local stormwater drainage, stormwater quality management, water conservation, recreation, and related wildlife management. The FMFCD coordinates with cities and the County of Fresno via a framework provided in the Storm Drainage and Flood Control Master Plan (Storm Drain Master Plan), which is prepared by the FMFCD as a specific element within the general plan of each agency. The Storm Drain Master Plan identifies urban and rural drainage area boundaries, computes runoff flows based on planned land use, identifies facility size and location, establishes street grades necessary to accomplish drainage of the runoff from the point of origin to the nearest collector facility, and identifies natural channels requiring preservation.

Stormwater collection in the City is typically completed via FMFCD facilities. It begins with street gutters that collect and convey stormwater runoff to storm drain inlets. The runoff is collected in these inlets and delivered to FMFCD's pipe networks, pump stations, and infiltration basins for groundwater recharge. Most runoff is discharged into recharge basins, but during heavy rainfall events, excess runoff overflows into a system of relief channels and canals that discharge to the San Joaquin River, its tributary streams, local agricultural canals, and FID facilities.

The Storm Drain Master Plan divides FMFCD's service area into many local drainage areas of one to two square miles throughout the City. All inlets, pipes, and pump stations within each drainage area are maintained by the FMFCD. The gutters, along with public streets and sidewalks, are maintained by the City's Street Maintenance Division. It is assumed that this maintenance agreement will remain in place for the foreseeable future. The FMFCD's Storm Drain Master Plan includes 164 adopted or proposed drainage areas, with all but five areas served by a retention or detention facility. FMFCD basins have been sized for capacities of two-year storms and for at least 60 percent of average rainfall; FMFCD allows a 20 percent change in volume before basins need to be resized or relocated. Retention basins are designed to provide storage for up to 6 inches of rainfall on the drainage area watershed given typical runoff to rainfall ratios used for urban drainage design.

FMFCD pipes range in size from 15 to 108 inches, and basins range in size from 5 to 25 acres. The drainage areas are delineated along topographic boundaries and are limited in size from 200 to 600 acres. This size limitation helps reduce the size requirements of the collection and disposal facilities.

FMFCD utilizes three means to implement drainage systems for the Metropolitan Area. One method is the use of Community Block Grants and low interest infrastructure loans from the State of California to construct drainage facilities in the older, previously developed areas of the City. A second method is to form assessment districts under the provisions of the 1915 Bond Act; assessment districts were formed based on drainage area boundaries, the parcels within the assessment districts were assessed a proportional share of the cost of the collection and disposal system, and the drainage system for the drainage area was constructed. The third and currently employed method is to collect drainage fees from parcels as they develop based on their prorated share of the cost of the drainage area collection and disposal systems. The implementing ordinance for the drainage fee structure is adopted by the City, and the drainage fees are collected by the City when entitlements are granted or building permits are issued.

FirstCarbon Solutions 3.18-19

⁴⁵ Fresno Metropolitan Flood Control District. 2016. District Services Plan.

⁴⁶ Placeworks. 2017. Southwest Fresno Specific Plan Environmental Impact Report. August.

FMFCD is also a primary participant in groundwater recharge for the City. Unlined retention basins provide recharge of both stormwater runoff and imported water from the San Joaquin River and Kings River. Through a cooperative agreement, the City uses FID canals to deliver allocated water from the San Joaquin and Kings Rivers to these basins for groundwater recharge.

Flood Control

FMFCD provides flood control measures on major creeks and waterways that drain to the City; these waterways include Big Dry Creek, Alluvial Drain, Pup Creek, Dog Creek, Redbank Creek, Mud Creek, and Fancher Creek. The flood control measures maintained are designed for the 0.5 percent exceedance interval (i.e., 200-year-return frequency) flood flow event, which include a series of dams and detention basins. These include the Big Dry Creek Dam, Fancher Creek Dam, Redbank Dam, Friant Dam, Alluvial Drainage Detention Basin, Pup Creek Detention Basin, Redbank Creek Detention Basin, Fancher Creek Detention Basin, and Big Dry Creek Detention Basin.

Project Site

In accordance with the Storm Drain Master Plan and other planning documents, the FMFCD is developing improvements for the Specific Plan Area for storm drain facilities. The Specific Plan Area encompasses all or part of the following existing drainage areas: BG, BL, BM, BS, CS, DS and, DV. Proposed drainage areas for SEDA include DT, DU, DW, DX, DY, and DZ. Most of the existing drainage areas include existing storm drain collection facilities, while the proposed drainage areas generally have no existing storm drain facilities. Areas DS and DV are the exceptions in that they are existing drainage areas with basins but have not yet been built out to Master Plan conditions.

FMFCD improvements include storm drain inlets and piping, which are being analyzed and developed in conjunction with the proposed land uses within the Plan Area. Those portions of the Plan Area encompassed in existing drainage areas include master planned utilities designed by FMFCD.

There are seven existing basins contributing to stormwater collection for the Plan Area, and six proposed basins within the Plan Area. There are also two existing basins outside of the Plan Area that are not part of existing drainage areas, including the Redbank Basin and the Fancher Creek Basin, that may contribute to additional drainage capacity; however, these two basins were not considered in the analyses completed as part of the Storm Drain Technical Study (Appendix I). FMFCD basins are designed for a capacity of a 2-year storm and for at least 60 percent of average rainfall. Per the FMFCD, the proposed drainage areas for SEDA have not been adopted yet and the basin locations have not been finalized; those presented here have been placed by FMFCD staff. ⁴⁷ The Specific Plan must be analyzed and evaluated for impacts on the aggregate area and each planned basin area.

An area's runoff rate and volume are heavily affected by the amount of impervious surfaces within the area. Imperviousness is directly related to the type of land use and can either positively or negatively affect an area's drainage capabilities with a change in impervious surfaces. A common characteristic that can define an area's imperviousness, i.e., its ability to handle drainage during

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⁴⁷ Wade, Denise. FMFCD Master Plan Special Projects Manager, FMFCD. Personal communication: email. February 22, 2022.

Info@vtpi.org

250-508-5150

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Bicycle & Pedestrian Planning Jennifer Clark (<u>Jennifer.Clark@fresno.gov</u>)
Director, City of Fresno Planning and Development Department 2600 Fresno Street
Fresno, CA 93721
21 August 2023

Re: Southeast Development Area Plan Impact Analysis

Dear Ms. Clark,

I am writing as a planning consultant who specializes in transportation impact evaluation concerning the Southeast Development Area Plan transportation impact analysis as described in the 14 July 2023 SEDA's *Draft Program Environmental Impact Report* and related documents.

This plan's predictions of vehicle miles traveled (VMT) are significantly flawed because it assumes an unrealistic internal trip capture rate that would reduce per capita VMT from 46 to 5 daily VMT, which is much lower than typical new developments.

The analysis assumes that the SEDA would be developed based on Smart Growth principles to create complete, multimodal neighborhoods where residents walk, bike and use public transit for most trips. These assumptions are unrealistic and not supported by the current proposal. For example, although the plan includes some mitigation strategies (p. 3.17-31-32), these are modest and unlikely to reduce vehicle travel 90% – significant VMT reductions require financial incentives such as cost-recovery pricing applied to all parking, plus grade-separated transit services – and complete communities typically take decades to fully develop and achieve their potential vehicle travel reductions.

New analysis tools and guidance documents are available that could provide more accurate predictions and guidance for achieving VMT reduction targets:

Caltrans (2020), *Vehicle Miles Traveled-Focused Transportation Impact Study Guide*, California Department of Transportation (https://dot.ca.gov); at https://dot.ca.gov/programs/sustainability/sb-743/sb743-resources).

CAPCOA (2021), Handbook for Analyzing Greenhouse Gas Emission Reductions, California Air Pollution Control Association (www.caleemod.com); at www.caleemod.com/handbook/index.html.

F&P (2022), *Providing VMT: Getting Beyond LOS*, Fehr & Peers (www.fehrandpeers.com); at www.fehrandpeers.com/vmt-impacts.

ITE SB 743 Task Force (2021), *ITE Guide to SB 743: Transition from Level of Service to Vehicle Miles Traveled*, Northern California ITE (www.norcalite.org); at https://bit.ly/3CU1Dle.

Todd Litman (2018), *Land Use Impacts on Transportation*, Victoria Transport Policy Institute (www.vtpi.org); at www.vtpi.org/landtravel.pdf.

Deborah Salon (2014), *Quantifying the Effect of Local Government Actions on VMT*, Institute of Transportation Studies (https://its.ucdavis.edu); at ww3.arb.ca.gov/research/apr/past/09-343.pdf.

Robert J. Schneider, Susan L. Handy and Kevan Shafizadeh (2014), "Trip Generation for Smart Growth Projects," *ACCESS 45*, pp. 10-15; at http://tinyurl.com/oye8aqi. Also see the *Smart Growth Trip-Generation Adjustment Tool* (https://tinyurl.com/mtuhz4i8).

Most experts recommend that North American communities start growing upward instead of outward. Fresno is currently not very dense and most existing housing stock is moderate-density single-family. To implement Smart Growth and maximize sustainability and transportation efficiency, Fresno should support infill development within the existing urban boundaries rather than expand to new areas.

In my opinion, the Plan's current analysis significantly underestimates vehicle traffic congestion, crash, emission and resulting air quality impacts. Until more accurate travel modeling can be completed, and air quality impacts adjusted, this PEIR fails to predict the project's significant social and environmental impacts, and so fails to provide the information that policy makers, practitioners and the general public need to make informed decisions.

Thank you for your consideration.

Sodel Titman

Best wishes,

Todd Litman



August 22, 2023

Ms. Georgeanne White City Manager City of Fresno Georgeanne. White@fresno.gov

Subject: Concerns Regarding City of Fresno's Southeast Development Area Specific Plan

Dear Ms. White,

I am writing on behalf of Granville Homes to express our concerns about the City of Fresno's Specific Plan for the Southeast Development Area. While we support the City's commitment to responsible development, we believe that certain aspects of the plan require careful consideration to ensure a balanced and successful outcome. Below are several Specific Plan items that raise significant concerns for us.

Policy UF-8.1

Cul-de-Sacs

Policy UF-8.1 appears to largely disallow cul-de-sacs. Cul-de-sacs very often improve traffic flow, safety and community interaction. Adding restrictions with respect to the amount of lots located in cul-de-sacs will drive away many potential homebuyers and will also lower the integrity of neighborhoods.

Alleys

While alleyways may offer limited benefits, they also introduce challenges related to aesthetics, accessibility, and overall functionality within neighborhoods. Most importantly, alleyways will greatly reduce backyard space at a time when many homebuyers are demanding to have more backyard. Inclusion of alleyways will also diminish the variety of product available to homebuyers due to constraints on buildable area. We hope the resulting policy will encourage, but certainly not require, alley-loaded products in developments.

Gated Neighborhoods

We are opposed to the suggested elimination of fully-gated neighborhoods. Gated communities provide security and exclusivity, attracting homeowners seeking a certain level of privacy. The City will lose out on a significant number of potential homeowners by eliminating gated neighborhoods in such a large section of the City. With unrestricted pedestrian access, gated vehicular access would become little more than an annoyance, especially for seniors.

Home Building . Land Development & Urban Infill . Property Management . Philanthropy

Block Length

We are also concerned about the proposed reduction in neighborhood block lengths to 500 feet. I disagree with the assumption that shorter block lengths necessarily increase walkability and pedestrian accessibility. Shorter block lengths will disrupt the organic flow of neighborhoods and can lead to frequent street crossings. While short block lengths may be ideal for a downtown district, that does not mean it would add the same value for residential development.

Policy OS-14.2 - Infrastructure Requirements

Policy OS-14.2's requirement for complete infrastructure installation before residential development will result in significant delays and challenges. While we understand the need for comprehensive infrastructure, a more flexible approach would allow for smoother construction progression. We believe procedures and safeguards are already in place to ensure timely completion of infrastructure improvements.

We believe that a collaborative effort involving developers, City officials, and community members will lead to a comprehensive plan that addresses these concerns while aligning with the City's vision. We are eager to engage in further discussions to find balanced solutions that benefit the development and the community.

Thank you for your time and consideration. We look forward to the opportunity to contribute positively to the Southeast Development Area's success.

Sincerely,

Darius Assemi

President

Granville Homes, Inc.



From: <u>Arakel Arisian</u>
To: <u>Adrienne Asadoorian</u>

Cc: <u>Mel Kazarian</u>; <u>d</u> <u>@att.net</u>; <u>Menas Arisian</u>

Subject: SEDA Comments on EIR and Specific Plan

Date: Friday, August 25, 2023 6:17:00 PM

External Email: Use caution with links and attachments

Hello Adrienne -

I wanted to share comments on the SEDA EIR and Specific Plan on behalf of my clients, Harrison Farms. These comments were submitted through the Survey Monkey link, but I also wanted to provide them to you via email in case there was a technical issue with the online submittal. Below are their comments. Have a nice weekend!

"To Whom It May Concern,

Thank you for the opportunity to comment on the Southeast Growth Development Area Program Environmental Impact Report (EIR). Harrison Farms owns approximately 159 acres within the SEDA Specific Plan area (APN: 310-063-05 & 310-143-27), located just south of McKinley Avenue to the Fancher Creek, between Temperance and DeWolf Avenues. Given the opportunity afforded to us collectively with size of these properties, our intention is to master plan the parcels for future development. We are eager to begin that process in conjunction with the City's planning efforts. With that in mind, we want to provide the following comments:

- 1. Potential Phasing Plan the current SEDA Policy Draft does not explicitly provide a development phasing plan, although previous versions of the plan and correspondence referred to four distinct phases. We are in support of having no phasing for the SEDA area. If the City decides to phase the project, we request that the Harrison Farms properties be included in phase 1 and that the EIR sufficiently analyzes an alternative that allows for that option. Related to phasing, we would like to provide the following comments:
 - a. **Infrastructure** major facilities for SEDA (e.g. sewer and water) will be installed in Temperance Avenue and the properties are between one-half mile and one-quarter mile from where that infrastructure will be available. In the past, several public meeting attendees have suggested a west-to-east phasing in order to leverage the significant infrastructure investment that is being made to allow development in SEDA.
 - b. **Proximity to the Bradley Center** our property is less than a mile from the future Clovis Unified Bradley Center, which expected to be a major hub for SEDA. Allowing our property to develop with other properties in the first phase, to which we are immediately adjacent, will bring needed housing and other land uses within close proximity to the Bradley Center. Related to 1a, it is recommended that the infrastructure needed for the school is coordinated and installed with the needed infrastructure for development.

- c. **Circulation within SEDA** one of the major challenges to developing SEDA is traffic and circulation. Currently De Wolf Avenue, which is planned to be an important north-south roadway does not connect between Olive and Belmont Avenues, along the east side of our property. Developing this area as part of phase 1 would allow the planning and potentially earlier construction of that needed connection. Completing DeWolf Avenue would alleviate traffic congestion on Temperance Avenue and other roadways in SEDA, particularly when infrastructure is being constructed in Temperance. It is recommended that the EIR traffic study examine the timing of the DeWolf Avenue connection as a part of the traffic mitigation timing.
- 2. Land Use Density the proposed residential land use densities do not include an important range from .5 dwelling units per acre to 6 dwelling units per acre. We are requesting the City either to include that missing density range and/or allow for it through plan policies, as doing so would provide for a wider range and variety of housing types. It would also allow for a transitional increase in density for any project adjacent to existing rural residential. It is recommended that the EIR analyze and contemplate a scenario where future projects are developed at less than 6 units per acre. There are also other land use requirements that should be discussed further prior to the adoption of the plan.

We look forward to continuing to participate in the public engagement process and thank you for this opportunity to comment."

Thanks, Arakel

Arakel A. Arisian AICP, LEED AP Arisian Group 389 Clovis Avenue, Ste. 100

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Ms. Sophia Pagoulatos, Planning Manager Ms. Adrienne Asadoorian, Planner City of Fresno 2600 Fresno Street, Third Floor, Room 3065 Fresno, CA 93721

Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486.

Dear Ms. Sophia Pagoulatos, Ms. Adrienne Asadoorian,

Comment in General: This plan is basically a "blank check" plan. No mitigation is allowed in the controversial areas. Also, over and over again, it is stated that once the plan is adopted, the various areas of contention would then be worked out. This reminds me what has happened at the Federal level when Congressmen stated we must pass the legislation and afterwards analyze it to see what it says. THIS IS WRONG and so very unfair to property owners as well as tax payers who will have to cover the expenses of a blank check! I find it very hard to understand how your department can endorse something that is so blatantly wrong.

I also find it difficult to understand why you promote a plan that you do not have concrete answers for. At the Town Hall meetings we were given answers that were vague, indirect, seemingly deceptive, or contradictory. Considering how massive this plan is, how disruptive this is to hundreds of lives, how intrusive this is, and how it will ultimately change the dynamics of Fresno, residents should be entitled to clear answers from those who want to implement this plan. To be so unprepared with a project of this magnitude is inexcusable and offensive.

The first three words of the Constitution are "We the People". The way your organization is handling this portrays an abusive City Government with the "Almighty Dollar" taking priority. It is very disheartening, especially knowing that there are options besides taking the most fertile farmland.

The EIR is inadequate as it is based on ad hoc decisions to be made in the future and not on a set plan. Therefore, it cannot be properly evaluated and should be abandoned.

I contest the following areas of the EIR for the following reasons:

Cost Factors

Comment: The City of Fresno has not addressed the taxpayer's cost to implement this development. This "blank check" is unacceptable and needs to be addressed.

Climate Factors

Comment: The City of Fresno has not addressed the climate goals. This "blank check" is unacceptable and needs to be addressed.

Section 3.2 Agriculture Resources and Forestry Resources Impact AG-1

Question: With the loss of the Ag land, please site the studies done to accommodate the loss of income for the Hmong Farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

MM AG-1.1

Question: Since the City of Fresno has documented their intent on preserving Prime Farmland, how can this plan be acceptable under the city's goals? Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.3 Air Quality

MM AIR 1c

Question: How is the increase in the electrical grid going to affect Fresno? Not knowing the impact is unacceptable and needs to be addressed.

Question: The document states that air pollution emissions will increase substantially in Southeast Fresno (possibly by 600% in some areas). The public health impacts of this pollution on local residents has not been analyzed in the EIR. Apparently the City wants to deal with this after the Project's approval. This "blank check" is unacceptable and needs to be addressed and documented prior to approval.

Section 3.5 Cultural Resources

Question: How will the loss of the Hmong revenue impact the Hmong culture? Please site studies that support no consideration for the Hmong farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

Section 3.8 Greenhouse Gas Emissions

Question: It is our understanding that the Greenhouse Gas Footprint will increase by 25% with this mega development. This plan is inconsistent with Fresno's climate change progress. What is the Greenhouse Gas Emissions goal of the City in this area and how will it be implemented in the SEDA development? The current plan is a "blank check" concerning climate change and is unacceptable until this is addressed in detail

Question: Fresno's goal was to reduce CO₂ emissions by 559,000 tons a year by 2035. With SEDA, the emissions will increase by 510,000 tons a year. How do you account for this discrepancy and how do you plan to remedy this problem? Without this information, this plan is unacceptable and this "blank check" needs to be addressed and corrected.

Section 3.11 Land Use and Planning

Impact LAND-2

Question: This plan contradicts Fresno's written policy of preserving prime farm land. Please explain how this plan is not in conflict with the preservation of prime farm land. Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.14 Housing

Question: How much of the 45,000 homes will be affordable housing? Jennifer Clark has been reported as saying this detail would be worked out after the City Council approves the project. This is a "blank check" and is unacceptable. This should be corrected and addressed prior to approval.

Section 3.15 Public Services

Question: In the high density areas, how are firefighters, police and first responders going to be able to help people without roads within the areas? Public safety is the number one concern. This plan is unacceptable and needs to be corrected.

Question: Who is going to pay for the massive bill to build schools to accommodate the high density population located in the Sanger School District? Since Sanger Unified has replied to this Project with great concern, please document the projected costs involved with the School district and the plan to fund these schools. Why have no estimated costs been given? Are you concerned that that truth would be detrimental to the Project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a "blank check" is unacceptable and needs to be corrected.

Section 3.16 Recreation

Question: We have been told at the Town Hall Meetings that Eminent Domain is not involved with the Project Plan. Please clarify. Does Eminent Domain occur only after the area is rezoned? Please state facts concerning the plans for Eminent Domain and Rezoning. The indirect answers we have been given are unacceptable. If Eminent Domain and rezoning will not occur, please give us a signed document stating such information.

Section 3.17 Transportation and Traffic

Question: What transportation will be available for the residents in the high density areas to obtain high paying jobs in other areas of town? If the 15 minute cities are designed to confine residents to the area without opportunities to pursue jobs on the North side of town, this is unacceptable and needs to be corrected.

Question: How is the City of Fresno planning to pay for the infrastructure cost? It has been reported that this will be ironed out after the council approves the massive project. This "blank check" is unacceptable and needs to be addressed prior to any approval.

Section 3.18 Utilities and Service Systems

Impact UTIL-2

Question 1: What are the significant environmental effects of constructing new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities? Please site the studies made and the data concerning the results of the studies. To accept this Plan without detailed information is endorsing a "blank check". This is unacceptable and needs to be corrected. Information and projected costs need to be published.

MMUTIL-1a

Question: What is the plan for additional water capacity? In the Town Hall Meetings we have not received any definite answers.

Comment: A definite plan should be in place prior to adopting the EIR as the water issue will be huge with the mega increase in the amount of people. The water issue will have a major impact on the city as a whole. To adopt the EIR without any plan in place is like giving someone a blank check to do whatever they want even if it was detrimental to the environment. The plan is unacceptable as is and needs to be corrected.

MMUTIL - 1b

Comment: The water supply system needs to be evaluated prior to the adoption of the plan. There is enough information in the plan to be able to be able to evaluate proposed water supply improvements as well as evaluate the environmental impact. To move forward without this information is unacceptable and needs to be addressed. Tax payers should not be endorsing a "blank check".

MMUTIL - 1d

Question: When you expand the wastewater system, are current property owners paying for hooking up to City Sewer? What will be the cost?

Comment: We have not received a clear answer at the Town Hall Meetings. However, we were told that the property owners were to pay for sewer hookup, the cost is around \$30,000, a loan would be available, and if the owner were to sell a lien would be placed on the home to cover the costs. Please give us exact information as to what it will mean for connecting to the City Sewer System and site your source of information. Keeping information from the property owners is unacceptable and needs to be corrected.

MMUTIL - 1f

Question: What will the long term impact on the environment be when expanding or relocating electric, natural gas, or telecommunication facilities for a project of this magnitude. Please site your studies. No information concerning this is unacceptable and needs to be addressed.

Impact UTIL - 2

Question: The EIR states there are sufficient water supplies for this project and foreseeable future development. Please state your source and details to support this statement. Considering the water levels, the years of drought and the projected number of people you plan to accommodate, this is one of the most important issues that needs to be addressed. Stating that there are "sufficient water supplies" is totally unacceptable. This needs to be corrected and addressed in detail as the ramifications of a limited water supply are huge! Allowing the Plan to address this after the Plan is adopted is endorsing a "blank check" for major problems ahead.

Questions:

- 1. Where are you drawing your water source from?
- 2. Is the Kings River considered a source even though it is already low? This project is huge and the lack of information is unacceptable.

Questions:

- 1. Once our wells run dry, we are not allowed to drill lower. How can you tell us that this will not impact our wells?
- 2. We have been told that if we are annexed into the City we have 5 years to hook up to City Water.

Our questions have been evaded and the answers given have been contradictory. This is unacceptable! This needs to be addressed and corrected!

Questions:

1. Is the property owner responsible for the cost of connecting to City water? If so, is the cost between \$30,000 - \$50,000? If the property owner doesn't have the money, is a loan required and is a lien put on the house if the owner intends to sell?

We have not been given definite answers. This is unacceptable. A plan of this magnitude should have answers for the property owners.

2. We have also been told that if a property is on a corner, the owner is responsible for hooking up to water in two directions. Please clarify. If this is the case, this is unacceptable! Since when should the property owners be penalized for the developers' benefit?

MM UTIL-2a

Question: The summary refers to the refined measures and standards that the city plans to use to reduce the per capita water use and implement water saving and conservation standards. What are they? Please give details. Without details this plan is unacceptable. Again, this is endorsing a "blank check". Please address and correct.

Section 3.19 Wildfire

Impact WILD-1

Question 1: With the proposed high density housing plan, what is the emergency response plan? If there is no plan, there needs to be one prior to the development of the project for the safety of human life. Without an emergency response plan in place, this plan is unacceptable. This needs to be corrected.

Question 2: What is the emergency evacuation plan in the high density housing area?

Comment: If there is no plan, there needs to be one prior to the development of the project for the safety of human life. Without an emergency evacuation plan in the high density housing area, this plan is unacceptable and needs to be corrected.

Impact WILD 2

Question: Due to the close proximity of the high density housing, and therefore, the high wildfire risks of rapid spreading, what is the plan to protect the occupants from pollutant concentrations? Without a plan in place, this plan is unacceptable and needs to be corrected.

Question: Due to the close proximity of the high density housing, and therefore, the high wildfire risks of rapid spreading, what is the plan to prevent rapid spreading? Without a plan in place preventing rapid spreading of fire, this plan is unacceptable and needs to be corrected.

Impact - WILD 3

Question 1: Without the infrastructure of roads, fuel breaks, etc., what plans will be implemented to protect the safety of occupants in the high density areas during an emergency? **Comment:** If there is no plan, this is unacceptable and needs to be corrected. There needs to be a plan in place prior to the development of the project for the safety of human life.

Question 2: Without the infrastructure of roads, fuel breaks, etc. how will firefighters and rescue personnel be able to access various locations in the high density areas during an emergency? This needs to be addressed and corrected in the EIR or the plan is unacceptable.

Impact - WILD 4

Question 1: Should an unexpected potential threat develop from flooding, landslides, etc., what is the plan of evacuating people?

Comment: If there is no plan, this is unacceptable and needs to be corrected. There needs to be one prior to the development of the project for the safety of human life.

Based on the above reasons, the EIR for the Fresno Southeast Development Area, Clearinghouse Number 2022020486 should not be accepted.

Please send me notices of any future hearing dates as well as updates concerning this project.

Sincerely,

Helen Ramming

SEDA area property owner

Member of Southeast Property Owner's Association

Ms. Sophia Pagoulatos, Planning Manager Ms. Adrienne Asadoorian, Planner City of Fresno 2600 Fresno Street, Third Floor, Room 3065 Fresno, CA 93721



Re: "Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486.

Dear Ms. Sophia Pagoulatos, Ms. Adrienne Asadoorian,

Comment in General: This plan is basically a "blank check" plan. No mitigation is allowed in the controversial areas. Also, over and over again, it is stated that once the plan is adopted, the various areas of contention would then be worked out. This reminds me what has happened at the Federal level when Congressmen stated we must pass the legislation and afterwards analyze it to see what it says. THIS IS WRONG and so very unfair to property owners as well as tax payers who will have to cover the expenses of a blank check! I find it very hard to understand how your department can endorse something that is so blatantly wrong.

I also find it difficult to understand why you promote a plan that you do not have concrete answers for. At the Town Hall meetings we were given answers that were vague, indirect, seemingly deceptive, or contradictory. Considering how massive this plan is, how disruptive this is to hundreds of lives, how intrusive this is, and how it will ultimately change the dynamics of Fresno, residents should be entitled to clear answers from those who want to implement this plan. To be so unprepared with a project of this magnitude is inexcusable and offensive.

The first three words of the Constitution are "We the People". The way your organization is handling this portrays an abusive City Government with the "Almighty Dollar" taking priority. It is very disheartening, especially knowing that there are options besides taking the most fertile farmland.

The EIR is inadequate as it is based on ad hoc decisions to be made in the future and not on a set plan. Therefore, it cannot be properly evaluated and should be abandoned.

I contest the following areas of the EIR for the following reasons:

Cost Factors

Comment: The City of Fresno has not addressed the taxpayer's cost to implement this development. This "blank check" is unacceptable and needs to be addressed.

Climate Factors

Comment: The City of Fresno has not addressed the climate goals. This "blank check" is unacceptable and needs to be addressed.

Section 3.2 Agriculture Resources and Forestry Resources

Impact AG -1

Question: With the loss of the Ag land, please site the studies done to accommodate the loss of income for the Hmong Farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

MM AG-1.1

Question: Since the City of Fresno has documented their intent on preserving Prime Farmland, how can this plan be acceptable under the city's goals? Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.3 Air Quality

MM AIR 1c

Question: How is the increase in the electrical grid going to affect Fresno? Not knowing the impact is unacceptable and needs to be addressed.

Question: The document states that air pollution emissions will increase substantially in Southeast Fresno (possibly by 600% in some areas). The public health impacts of this pollution on local residents has not been analyzed in the EIR. Apparently the City wants to deal with this after the Project's approval. This "blank check" is unacceptable and needs to be addressed and documented prior to approval.

Section 3.5 Cultural Resources

Question: How will the loss of the Hmong revenue impact the Hmong culture? Please site studies that support no consideration for the Hmong farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected.

Section 3.8 Greenhouse Gas Emissions

Question: It is our understanding that the Greenhouse Gas Footprint will increase by 25% with this mega development. This plan is inconsistent with Fresno's climate change progress. What is the Greenhouse Gas Emissions goal of the City in this area and how will it be implemented in the SEDA development? The current plan is a "blank check" concerning climate change and is unacceptable until this is addressed in detail

Question: Fresno's goal was to reduce CO₂ emissions by 559,000 tons a year by 2035. With SEDA, the emissions will increase by 510,000 tons a year. How do you account for this discrepancy and how do you plan to remedy this problem? Without this information, this plan is unacceptable and this "blank check" needs to be addressed and corrected.

Section 3.11 Land Use and Planning

Impact LAND-2

Question: This plan contradicts Fresno's written policy of preserving prime farm land. Please explain how this plan is not in conflict with the preservation of prime farm land. Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected.

Section 3.14 Housing

Question: How much of the 45,000 homes will be affordable housing? Jennifer Clark has been reported as saying this detail would be worked out after the City Council approves the project. This is a "blank check" and is unacceptable. This should be corrected and addressed prior to approval.

Section 3.15 Public Services

Question: In the high density areas, how are firefighters, police and first responders going to be able to help people without roads within the areas? Public safety is the number one concern. This plan is unacceptable and needs to be corrected.

Question: Who is going to pay for the massive bill to build schools to accommodate the high density population located in the Sanger School District? Since Sanger Unified has replied to this Project with great concern, please document the projected costs involved with the School district and the plan to fund these schools. Why have no estimated costs been given? Are you concerned that that truth would be detrimental to the Project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a "blank check" is unacceptable and needs to be corrected.

Section 3.16 Recreation

Question: We have been told at the Town Hall Meetings that Eminent Domain is not involved with the Project Plan. Please clarify. Does Eminent Domain occur only after the area is rezoned? Please state facts concerning the plans for Eminent Domain and Rezoning. The indirect answers we have been given are unacceptable. If Eminent Domain and rezoning will not occur, please give us a signed document stating such information.

Section 3.17 Transportation and Traffic

Question: What transportation will be available for the residents in the high density areas to obtain high paying jobs in other areas of town? If the 15 minute cities are designed to confine residents to the area without opportunities to pursue jobs on the North side of town, this is unacceptable and needs to be corrected.

Question: How is the City of Fresno planning to pay for the infrastructure cost? It has been reported that this will be ironed out after the council approves the massive project. This "blank check" is unacceptable and needs to be addressed prior to any approval.

Section 3.18 Utilities and Service Systems

Impact UTIL - 2

Question 1: What are the significant environmental effects of constructing new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities? Please site the studies made and the data concerning the results of the studies. To accept this Plan without detailed information is endorsing a "blank check". This is unacceptable and needs to be corrected. Information and projected costs need to be published.

MMUTIL-1a

Question: What is the plan for additional water capacity? In the Town Hall Meetings we have not received any definite answers.

Comment: A definite plan should be in place prior to adopting the EIR as the water issue will be huge with the mega increase in the amount of people. The water issue will have a major impact on the city as a whole. To adopt the EIR without any plan in place is like giving someone a blank check to do whatever they want even if it was detrimental to the environment. The plan is unacceptable as is and needs to be corrected.

MMUTIL - 1b

Comment: The water supply system needs to be evaluated prior to the adoption of the plan. There is enough information in the plan to be able to be able to evaluate proposed water supply improvements as well as evaluate the environmental impact. To move forward without this information is unacceptable and needs to be addressed. Tax payers should not be endorsing a "blank check".

MMUTIL - 1d

Question: When you expand the wastewater system, are current property owners paying for hooking up to City Sewer? What will be the cost?

Comment: We have not received a clear answer at the Town Hall Meetings. However, we were told that the property owners were to pay for sewer hookup, the cost is around \$30,000, a loan would be available, and if the owner were to sell a lien would be placed on the home to cover the costs. Please give us exact information as to what it will mean for connecting to the City Sewer System and site your source of information. Keeping information from the property owners is unacceptable and needs to be corrected.

MMUTIL - 1f

Question: What will the long term impact on the environment be when expanding or relocating electric, natural gas, or telecommunication facilities for a project of this magnitude. Please site your studies. No information concerning this is unacceptable and needs to be addressed.

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Question: The EIR states there are sufficient water supplies for this project and foreseeable future development. Please state your source and details to support this statement. Considering the water levels, the years of drought and the projected number of people you plan to accommodate, this is one of the most important issues that needs to be addressed. Stating that there are "sufficient water supplies" is totally unacceptable. This needs to be corrected and addressed in detail as the ramifications of a limited water supply are huge! Allowing the Plan to address this after the Plan is adopted is endorsing a "blank check" for major problems ahead.

Questions:

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Question: The summary refers to the refined measures and standards that the city plans to use to reduce the per capita water use and implement water saving and conservation standards. What are they? Please give details. Without details this plan is unacceptable. Again, this is endorsing a "blank check". Please address and correct.

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Question 2: Without the infrastructure of roads, fuel breaks, etc. how will firefighters and rescue personnel be able to access various locations in the high density areas during an emergency? This needs to be addressed and corrected in the EIR or the plan is unacceptable.

Impact – WILD 4

Question 1: Should an unexpected potential threat develop from flooding, landslides, etc., what is the plan of evacuating people?

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Based on the above reasons, the EIR for the Fresno Southeast Development Area, Clearinghouse Number 2022020486 should not be accepted.

Please send me notices of any future hearing dates as well as updates concerning this project.

Sincerely,

Welen Ramming
Helen Ramming

SEDA area property owner

Member of Southeast Property Owner's Association

August 26, 2023

Ms. Jennifer Clark, Director Ms. Adrienne Asadoorian, Planner City of Fresno Planning & Development 2600 Fresno Street, Ste. 3065 Fresno, California 93721

Dear Ms. Clark and Ms. Asadoorian,

RE: FRESNO SOUTH EAST DEVELOPMENT AREA SPECIFIC PLAN AND EIR - COMMENT

This letter of comment on the City of Fresno's EIR and proposed South East annexation plan (SEDA) of 8,700 acres is to voice my opposition to the unnecessary taking of more Prime Farmland to promote urban sprawl.

SEDA's proposed plan for consideration will consume 7,700 acres of currently productive agricultural land in Fresno County. Prime Farmland is limited and cannot be mitigated/replaced by preservation trusts, conservation easements or fees/policies. Ag farmland is in serious jeopardy - not from drought or climate change - but from indifference, urban sprawl, burdensome regulations, and a lack of understanding on the critical role of food production to our freedom, jobs, and health. Agriculture is essential and its destruction should be avoided at all risk.

Urban sprawl fuels flight and blight - and redirects city financial investments to focus on additional costly infrastructure and provide public services for fire and police protection. **Extending the sphere and encompassing more land is not the solution.** The Greenfield Coalition report on Urban Decay points to inefficient utilization of land, decay, deferred maintenance, outdated infrastructure, revenue loss and negative neighborhood effects. https://storymaps.arcgis.com/stories/eb1233cfb60048df8a02ba8b83998da7

In 2019, the City of Fresno used GIS to calculate more than 8,200 acres (or 14%) of vacant land within its existing city boundaries and identified the current zoning of these parcels to determine that this undeveloped land has the capacity to hold over 134,000 housing units. More than enough land and housing for the next 40 years!

Further, the State predicts continued slow to no growth in the Valley over the next 40 years. The City has not grown and population figures show continuing decline, lower birth rates and relocations north and out-of-state locales. It's time for a new vision and investments to revitalize older parts of Fresno and in-fill parcels.

https://thesungazette.com/article/news/2023/08/08/state-predicts-population-plateau-for-valley-

future/#:~:text=California%20now%20stands%20at%20about,to%208.3%20million%20by%202 060.

Again, thank you for the opportunity to comment on the City's Draft EIR. It is my hope that LAFCo will vote to deny the SEDA Specific Plan, rescind the 2006 Sphere of Influence and allow Fresno County to preserve Prime Farmland and avoid the sizeable impacts and costs outlined in the project's EIR.

Respectfully,

Karen Musson

cc: Mayor Jerry Dyer

Fresno County Board of Supervisors

Councilmembers Bredefeld, Karbassi and Chavez

LAFCo

To whom it may concern:

The Southeast Development Area consists of 9,000 acres located roughly West to East, between Temperance Ave. and McCall Ave. and, South to North, between Jensen Ave. and the Gould Cannel. Also South of Jensen Ave. to North Ave. and from Temperance Ave. to Miniwawa.

This 9,000 acres is made up of dense housing to the North and more rural housing and farmland to the South. About 7,000 acres of the 9,000 acres is prime farmland and has been for over 100 years.

Many of the rural homes properties are of 1 acres or more up to about 40 acres. The farmland is from 2.5 acres going up to 500 acres and more.

My concern is that many of the property owners who have held their property for 50 years and longer and have done their long range planning with the intent of passing their homestead, ranch, orchard or farm onto a family member to continue their planned estates for years to come, have not been treated fairly.

Many of these older property owners do not understand why the City of Fresno thinks that it can disregard everything the property owners have planned for years and threaten them with plans that show the City taking away their property just to build more and more housing.

I have talked to a great many of these 80-year olds and what the City, SEDA, has done and is still doing is nothing short of 'elder abuse'. Many of these people were not notified by the SEDA group and when they were notified by the SEPO group were greatly disturbed and in some cases upset, threatened and confused to the point of being life threatening.

So the SEDA group continued on with its planned takeover by following plans laid out by the 'Long Range Planning Department' and checking off their checklist.

- 1. Notification of Property Owners, 'CHECK'. (Poorly Done).
- 2. Meetings to inform property owners and residents in the affect area, 'CHECK'. ('Very Poorly Done).
- 3. Postponing the EIR to be released in the hottest time of the year and when families are in their vacation cycle or harvest season and not thinking of what lies ahead for them.
- 4. Planning 'Drop in' meetings (3) which proved not to be 'Informational' meetings but merely required items to be 'Checked' off and be able to say "Yes we did all the required items to inform the public'.

But the public has NOT all been informed.

At the last 'Drop in' meeting at Long Elementary School in Clovis, I met and had the privilege of informing and bringing up to speed two separate property owners from the affected area who had never been notified of the SEDA plan. These both were hard working family men who just the day before were informed by their neighbors that they needed to contact someone in the SEPO group and find out what was going on. They contacted the SEPO group and were advised to come to the Long Elementary School in Clovis and to talk to the people in the RED shirts.

Again, I go back to the elders that live in the area. The 80+ bunch. I am one of this group. I am 84 and my wife of 63 years and I have lived on our property for approximately 50 years. When we pass on, the property it will automatically belong to our son. Being in the County we have our own well and septic system. I am an engineer and have been building, living with and taking care of wells and septic systems all my life. The only real danger to our well and septic system is the City of Fresno and the SEDA plan. They are the only and greatest danger to everyone living in the SEPO area.

I/we are very aware of the comments by the SEDA group and the City that no one is going to be forced or removed from their property and that 'you can live there as long as you like'. BUT all the literature and maps that the SEDA group displayed prove that to be a lie. Each and every one of the maps presented show and display in great detail all of the planned usage for the area and they all are missing one thing. They are missing the people that live there now. Today.

You must remember that 'elder abuse' is a real threat to many of the elder population's lives today. ARE YOU GUILTY?

Lyle R Nelson, President, SEPO Group, Southeast Property Owners

TO: City of Fresno
Planning & Development Department
2600 Fresno Street Room 3065
Fresno CA 93721-3604

FROM: Michael & Marilyn Mathew

RE: Comments/Concerns To The
Environmental Impact Report (EIR)
Pursuant To The Requirement Of The
California Environmental Quality Act
(CEQA) For South East Growth Area
(SEGA) Specific Plan

Dear Sirs:

Our first concern is with the SEGA plan in general. It has been stated during this planning process that a primary goal is "to preserve the rural/ag way of life" within the SEGA. It is impossible for us to envision anything other than a major impact, not only to the current population's "way of life" but also to the environment and landscape of the area, particularly with the addition of 45,000 dwelling units and 120,000 people.

If the concepts used to formulate the SEGA plan are valid, why are they not being implemented on the undeveloped land that lies between the city and western borders of the SEGA? Similarly, we have inquired (without response) as to the plans for the land use to the north, south, and west of Fresno. It appears that no similar plans are available or being considered for these areas.

It has been impossible for us to formulate opposition to the "Open Space/Green Belt" concept of the plan. Our inquiries as to specifics have been met with replies of, "this is conceptual in nature," or "the plans are only tentative". Nevertheless, areas have been designated on the "approved" general plan along Fresno Irrigation District (FID) canals that appear to be parkways which include multiuse trails.

The previously mentioned canals, many of which are not "natural waterways," exist for the sole purpose of conveying water to various agricultural parcels via the FID system. Some of them are strictly man made with banks that exceed natural grade by 4+ feet: they hardly qualify as a natural waterway by any stretch of the imagination.

The use of these areas as greenbelt/parkways with multiuse trails should be avoided for a wide variety of reasons. During the 15 years we have lived at our current

27 min

location, we have acquired an intimate knowledge of the flora and fauna that inhabit our land. Multiple species of mammals and fowl are present; thriving and reproducing in the area. Some are permanent residents and others are migratory. We are also painfully aware of the ill effects to the environment when people encroach into this area. Some of these effects are immediate such as shooting or stoning the wildlife, trashing the landscape, and contaminating the water with liquid products. One of the worst effects, the displacement of the wildlife, is much longer lasting (days, weeks, months). This occurs simply from the presence of humans. It is unfortunate, but people do stupid things, and the vast majority of these infractions are committed by "outsiders" who we assume are ignorant or just do not care. We refer to these individuals as having an "urban mindset". One thing we know for sure, the wildlife must be afforded room to live and reproduce. Even the most benign encroachment into their "space" results in these species immediately leaving the area.

The canal systems we are describing are on privately owned land, with the FID enjoying a non-exclusive right-of-way for their operations. Both the land owners and the FID prohibit or at the very least strongly discourage people from entering the vicinity of these canals. The reasons for restricting access are varied and we have only mentioned a few, but the no trespassing signs and gates erected along these canals are not in place

because the present owners lack anything else to do with their time.

If the purpose of the greenbelt/parkway areas is in fact to "preserve" an open space and the flora and fauna contained therein, we have limited objections. However, if these areas are used to mitigate the stark changes that will occur in the high density areas, designate them as an "open space" on the specific plan, and the present land owners will in fact preserve them. The city need not acquire any land, but rather leave all of the current zoning and restrictions in place. The way the plan has evolved, it appears the city really is not interested in having an open space at all, but rather a recreational area with multiuse trails. This plan of action changes these areas from open spaces with restricted human encroachment, to areas that encourage the 120,000 new residents to transiently occupy and thereby permanently change the environment. Make no mistake, the 120,000 people that this plan invites into these canal areas are a population with the afore mentioned "urban mind set". What places this type of individual in the area, is the "high density" life style that the current general SEGA plan promotes and provides for, not the "rural" life style it claims to preserve.

The adoption of the proposed plan, without modification, will present a non-

inclusive array of problems to the environment and public such as:

- 'Increased air pollution
- Increased noise pollution
- Degradation of water quality (surface water in particular)
- Displacement of wildlife (including migratory birds)
- *Permanent alteration of the natural landscape
- Devaluation of land to adjoining parcels
- *Public safety (from cold and swift water flow during the season, to steep and dangerous rip rap and concrete lined embankment during the off season)
- ·Vandalism and destruction of existing privately owned infrastructure within the greenbelt areas

- *Vandalism and destruction of private property on adjoining land
- *Increased criminal activity due to the remoteness of the trails
- *Light pollution if trails are illuminated for night use

Occasionally, there are times when less is more. The specific SEGA plan may be the opportunity for one of these moments. As mentioned before, the city could leave these areas alone and retain current zoning for the greenbelt areas. No land would be acquired by the city and the city's resources could be applied to other infrastructure within the SEGA. Current land owners would not be faced with a major change in their properties or its valuation. The open areas would truly mitigate some of the undesirable effects caused by the "high density" development. The multiuse trails could be moved to the vehicular traffic corridors that are going to require improvements anyway. The public would use these bike/pedestrian trails not only for recreation, but also as a means to safely travel within the SEGA between high density areas by other than vehicular use. The proposed greenbelt trails do not afford this possibility as they start from nowhere and end the same.

Respectfully,

Michael Mathew

Marilyn Mathew

Martyn Mathew



MICHAEL MATHEW

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information

(559) 621-8339

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Please tell us your comments	on	the	SEDA	Draft	EIF
and Specific	: Ple	an			

OS-4, OS4.1->4.6
ON 8 25 22 AT A "POP. UP"
MOSTING ON THE MILL 36 CANAL,
ANDREW BENELLI STATED THAT
A SMOOTH TOODED 4 HIGH WEONGET
TRON FENCE WOULD BE CONSTRUCTE
TO PROVIDE A SAFETY BARRIER
FOR THE PUBLIC. IT'S INTENT WOULD
BE TO PROHIBIT THE PUBLIC FROM
GAINING ACCESS TO THE CANAL
DOES THE CITY BELIEVE SUCH
A BAPPLER IS ADEQUATE PROTECTION
FOR THE PUBLIC?

	Name:	CARD
Email:	Phone N	umber:
	Email:	
Address and Nearest Cross Streets	Address	and Nearest Cross Street
or more information	N.	
(559) 621-8339	Adrie	nne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan
and Specific Flair
WHAT DATA \$ OR EVIDENCE
DOES THE CITY HAVE THAT THIS
TYPE OF STRUCTURE IS ADBRUATE
IF SO WHAT MAINTAINCE (#
BY WHOM) WILL INSURE THE BORRIER
CONTINUES TO FUNCTION AS
DESIGNED?
Part of the state



MICHAEL MATHEW

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information

(559) 621-8339

Adrienne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

WHAT MEASURES WILL THE

CITY EMPLOY TO PROMBIT

TRAIL TRAFFIC FROM WANDERING

ONTO ADJACENT PRIVITE PROPERTY

LITTERING EVANDICIZING THE ADJAGENT

LANDSCAPE

WHAT MENSURES WILL BE

UTILIZED TO PROTECT PROPERTY

owners PRIVACITY ?

CONDITIONS & RESTRICTIONS



Name:

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information

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Adrienne.Asadoorian@fresno.gov

30 mm

Please	teli	us	your	com	ments	on	the	SEDA	Draft	EIR
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THAT APPLY TO PARCEL?

WHAT MEASURES WILL KEEP

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(559) 621-8339

Adrienne.Asadoorian@fresno.gov



Name:

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information

(559) 621-8339

Adrienne. Asadoorian@fresno.gov

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Phone Number:

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Name:

Please tell us your comments on the SEDA Draft EIR and Specific Plan

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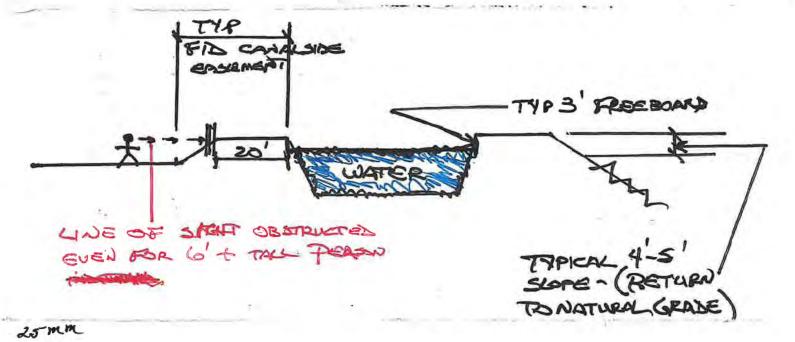
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Michael Matheur

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information (559) 621-8339

(559) 621-6559

X Adrienne.Asadoorian@fresno.gov

COMMENT

Name:

Michael Matheur

Phone Number:

Email:

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For more information (559) 621-8339

(339) 021-033

Adrienne.Asadoorian@fresno.gov

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Date: Sunday, August 27, 2023 7:48:41 PM

External Email: Use caution with links and attachments

Section 3.1 Aesthetics, Light and Glare

<u>Impact AES-3 and 4</u> Project will degrade existing character of public views.... (Significant and unavoidable impact)

Concern: This proposes too much – more than necessary - light for the area. Current residents moved to the country to avoid such things as light and glare.

Date: Sunday, August 27, 2023 7:50:25 PM

External Email: Use caution with links and attachments

Section 3.1 Aesthetics, Light and Glare

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Impact AG-1 Project will convert Prime and unique Farmland and Farmland of Statewide Importance. (Significant and unavoidable impact)

Concern: The proposed Farmland Preservation Program reads like a riddle.

"Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulation."

Deeds, Fees, Regulations are not going to help lost Farmland. So they'll analyze on a project-by- project basis – the land will still be used for Non-Farm purposes. It is destruction and a waste of Prime Farmland! Current residents strongly object to this.

Date: Sunday, August 27, 2023 7:56:52 PM

External Email: Use caution with links and attachments

Section 3.7 Geology and soils

Impact Geo-2 (N/A Significance after Mitigation.) The proposed project would not result in substantial soil erosion or the loss of topsoil. (N/A - level of significance...)

Comment: Top soil certainly <u>will</u> be lost when project builds on top of it! Unless they scrape the top soil off before building on it – with a plan to sell it back to us later.

Date: Sunday, August 27, 2023 7:58:56 PM

External Email: Use caution with links and attachments

Section 3.9 Hazard and Hazardous Materials Impact Haz-2 MM HAZ-2b(3)_Geographic surveys to ascertain the presence or absence of subsurface features of concern such as underground storage tanks, drywells. drain, plumbing, and septic systems.

-

Concern: While people representing the City of Fresno verbally tell us, on one hand, that property owners can stay_in their homes as long as they want to stay, here is the threat of disrupting our septic systems. A good septic system can serve homeowners 50 years or longer without problems. Disruption or removal would cause residents to not be able to stay in their homes another minute!

Connecting to the city's sewer would be an expense many property owners could not afford. We don't want to be forced to pay these expenses when our current *conditions* are serving us well.

Date: Sunday, August 27, 2023 8:01:27 PM

External Email: Use caution with links and attachments

Section 3.9 Hazard and hazardous Materials Impact Haz-2 MM HAZ-2c If findings and conclusions of the Phase II Environmental Site Assessment...demonstrates the presence of concentrations of hazardous materials exceeding regulatory threshold level,...property owners and/or developers of properties shall complete site remediation..... Potential remediation could include the removal or treatment of water and or soil.

Concern: While people representing the City of Fresno verbally tell us, on one hand, that property owners can stay_in their homes as long as they want to stay. While, on the other hand, here is the threat of disrupting our wells. That disruption would cause residents to not be able to stay in their homes another minute!

Connecting to the city's water systems would be an expenses many property owners can not afford. We don't want to be forced to pay those expenses when our current *conditions* are serving us well.

Date: Sunday, August 27, 2023 8:02:41 PM

External Email: Use caution with links and attachments

<u>Section 3.9 Hazard and Hazardous Materials</u> Impact Haz 3 - Project could emit hazardous emissions or acutely hazardous materials, substances or waste within one quarter mile of an existing or proposed school

Concern: It irresponsible to consider exposing students in an existing school to hazardous emissions or materials. It's important for students to have outdoor activities and critical for their air to be clean at all times. A quarter of a mile is only about 1300 feet. During outdoor activities students could be exposed to the project's hazardous air. It's wreckless to propose situations where their clean air would be compromised.

Date: Sunday, August 27, 2023 8:25:47 PM

External Email: Use caution with links and attachments

Section 3.1 Aesthetics, Light and Glare

Impact AG-2. The proposed project will not conflict with existing zoning for agricultural use or a <u>Williamson Act Contract</u>. (Significant and unavoidable impact.)

Question: Using SEDA's "suggested" project map — and using the intersection of Butler and DeWolf as one example - how can the City build their planned 'Regional Center' with all of the planned residential and commercial projects in that area when most of the land is protected under the Williamson Act? (Reference: attached most current map available — Fresno County Williamson Act map - 2015).

https://databasin.org/datasets/6871c77c876d421b985b1b70ee1640f5/

Adrienne Asadoorian, Planner City of Fresno, City Clerk Fresno City Council, Chairman and Council Members 2600 Fresno Street, Third Floor Fresno, CA 93721

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OPPOSE LETTER - EIR AND EDA/PROPOSED LAND USE/ANNEXATION/ BY THE CITY OF FRESNO

Dear Chairman, Council Members, City Clerk, and Ms. Asadoorian:

Please accept this letter as our **opposition** to the City of Fresno's EIR report and the SEDA development, annexation, proposed land use and the map thereto, which is an item that is expected to go before the City Council in or about October 2023.

Our specific property/land sits next to what is known as the Briggs Canal. It is our understanding that water in the Briggs comes from the Kings River. This water is what irrigates properties for the food that you and I to eat and serves a greater purpose. It is serviced and maintained by Fresno Irrigation District (FID). The District's web page, under About Us, states as follows: The FID is a leader in California water, serving over 200,000 acres of prime agricultural farmland ... Farmland sitting next to or that abuts a water structure such as ours is rare in Fresno County and not easily attainable. With our property adjacent to Briggs, it is irrecoverable and we would suffer a great loss. Therefore, we oppose the redevelopment and conversion of prime farmland to serve a purpose as Flexible Research and Development, which by the City's definition means no residential uses will not be allowed. That would therefore leave eminent domain which the City has stated would not be used however if I do not sell and my neighbor does not sell then there is no other recourse but for the city to use eminent domain. We have all seen what has occurred with the Reedley lab and as stated by many of you councilmembers the public is placed at risk and so many other factors such as disease, groundwater contamination were common concerns. If we in this area "Flexible Research and Development" please explain with specificity what occurs to the property/land/farm owners the process and procedures and confirm if our property will be taken from us through eminent domain?

The City's project and plan area consists of Prime Farmland. We own 2.49 acres of farmland in the proposed SEDA plan area. We house two tractors, chickens, apricot trees, as well as house pets on our land. We are current fosters for the county animal shelter and we are able to assist with fostering of

more than one animal primarily due to the land we have. We work our land like most, if not all of the residents in this project area. Removing farmers who grow their own food; and/or who commercially feed this Community, County and State is reckless and negligent so that the City can expand. The City's proposed land use map reflects for our parcel "Flexible Research & Development." You want to take irrecoverable prime farmland for Flexible Research & Development when you can place Flexible Research & Development in the vacant Orchard Supply building (vacant for more than 5 years). Does that mean a lab such as that most recently found in Reedley, CA will go here. What does "Mixed Residential" mean on the City's map? I specifically asked if that meant low income housing, please explain. Again, there are so many other vacant buildings within the City of Fresno that would allow you to do this that we do not need to remove, redevelop and destroy Prime Farmland or Farmland in general.

We have been told on numerous occasions that we would not be required to hook up to City services (water, sewage). We believe that to be incorrect. We were told that the City would not require us to; if not the City then who? If I am the only house that does not hook up, will I be forced to hook up? What will the cost be? Is there the potential for placement of a lien on my home due to the cost of these services? Please also confirm with past projects in this area or within the City (i.e. the area in and around north Jensen and Fowler to Kings Canyon etc.) how that land development was handled and if the landowners that were pre-existing were required to hook up to City of Fresno services (water/sewage). If so, what were the services, what was the process, the cost, who was responsible to pay those charges or for those services; how many complaints did you receive from the landowners verbal and in writing, what was the remedy of said complaints; and if any of these homes resulted in liens being placed on landowners property/homes. Please also provide on current and past projects when property owners choose to stay and not sell, the city is therefore developed around their property, how many wells have gone dry due to the new development? Does this map become the zoning map for this area?

Property owners were also told by the City representatives that eminent domain is not allowed or can or will not be used on property owners and their land located on the Land Use Map for this project, please confirm if this is an accurate statement? When I spoke to Jennifer Clark at the last in-person Drop In meeting she stated that should one homeowner decide not to sell or annex, they (property owner) will not be forced to annex; however, later she stated that they (City) cannot have one house one way while the rest of the area is annexed. Please clarify this statement by Ms. Clark. How will her stated change occur if one home cannot be different from the rest? Please explain who will impose and force the annexation of the land/property owners unwilling and opposing to said annexation? Please explain the process and the impacts to the landowners as well as the changes to zoning affecting the homeowner who did not willingly annex their land. Will I still be able to farm with all these houses around me?

As you know, there is vacant land and buildings in or around Kings Canyon and Clovis Avenue; you have the Orchard Supply building that currently sits empty littered with homeless people. You have vacant land and buildings all throughout the City of Fresno and other cities within Fresno County and your plan is to destroy the Prime farmland of the SEPO (Fresno Southeast Property Owners). Destroy our farmland to build more homes, which thus creates more traffic, more congestion, more land and air pollution, more crime, and homelessness. With the Briggs Canal, if that waterway remains, with the increase in population and homelessness, our canals will turn into bathing facilities and used as restrooms. Please ask your homeless task force if that is a possibility that the homeless population uses waterways as bathing facilities and toilets? If this water is intended to feed the community, is it possible

for fecal matter, urine and other forms of illness to be in said water. Furthermore, take a drive around the City of Fresno, look at their canals and waterways, you currently have homelessness on your canal banks, tents, littered with trash (e.g. McKinley and Chestnut; in front of the Social Services building Phillip and Kings Canyon, the canal located east of Clovis Avenue--north of Kings Canyon by Orchard Supply). The City is unable to handle the demands of the current crisis and you want to spread it out. Your intent is to make a 15 minute city. We have seen the destruction of Paradise, Maui, when you began to impact the rural areas which are not intended to be within the city limits. We have water issues, we were just in a drought and there is no guarantee that we will be blessed with rain in the future. How will you control air pollution? Where will you get water from? How will you get the needed money to build the infrastructure for this plan?

The City of Fresno needs a boundary, do not grow it out here destroying the aesthetic rural southeast farmland.

The EIR REPORT:

Paragraph 1.2.1 lists the potential significant environmental issues that <u>require further analysis</u>. Therefore, this is incomplete. In light of this statement, we oppose this EIR and request that you vote to deny/oppose/reject.

Paragraph located on PDF page number 762 titled (Wild-2) ... Pollutant Concentrations from Wildfire impacts under this topic would be less than significant and there is no substantial change. However, we disagree and oppose that statement in that the City has a wide-ranging homeless population. What factors were considered as it relates to the ongoing homeless population within city limits when addressing this issue? We see many fires started due to homelessness. City streets are littered with trash, drugs and/or paraphernalia, and the homeless population utilizing fire in order to cook or stay warm during the winter months. Therefore, we disagree with this report and believe further studies should be done. As a reminder and as stated in paragraph 3.19.7, you would be converting prime ag land to residential and mixed-use land uses. Significant and unavoidable.

Chapter 4 Other CEQA Considerations – Bulletpoint AG-1 (... Conversion of Farmland to Non-ag Uses) states 2,475 acres of land designated as Prime Farmland, 1,352 acres of Farmland of Statewide Importance, approximately 1,189 acres of land designated as Farmland of Local Importance, and 1,725 acres of land designated as Unique Farmland "scattered" throughout the plan area. The impact is significant. Based on this information contained in the EIR, we oppose and request that you vote to reject/deny/oppose and that this plan does not move forward. We further request that all maps be amended to identify the land properly in full transparency. Significant and unavoidable.

Bullet Ag-2 (... Conflict with Existing Zoning or Williamson Act Contract) – This paragraph states in part that according to the Williamson Act Property map, the majority of the Williamson Act properties within the SOI and City are located within the Plan Area. It further states that there is a significant impact on existing Williamson Act Contract land. Ultimately, you are still converting Williamson Act land to non-ag land. For this reason, we strongly oppose and request that you vote to oppose and/or deny on this basis. We further request that all maps be amended to identify the land properly in full transparency. Significant and unavoidable.

Bullet Cumulative Ag Resources and Forestry Resources Impacts states and acknowledges that there is a loss of Prime Farmland within the plan area. Under your plan, you destroy existing Prime Farmland, Unique Farmland and small farms to build or develop community farming and small farms. The EIR states that it will be a significant impact on Ag zoning and the Williams Act Contracts and there would be land use changes resulting in the conversion of farmland to non-ag uses and is unavoidable. We were told by the City at Drop-In meeting #1 on July 24[,] 2023 that we would not be rezoned should property owners choose not to sell. However, Jennifer Clark at the last in person drop-in meeting stated that we cannot have just one home not similarly zoned or annexed; therefore, please confirm what occurs based on Clark's statement. Rezoning would only occur if a neighbor complained, which thus alters my land use. The City's statement clearly is misleading and misrepresents what is occurring. I believe the impacts would be more than significant in that you are displacing property owners who are generational farmers, and farmers of their own land; how many of us current property owners would be physically displaced, and harmed financially. Based on this information we request that you strongly oppose and/or deny based on this statement.

Impact Air-1 paragraph states this projects exceeds the San Joaquin Valley Air Pollution Control District another significant and unavoidable impact. Based on this paragraph we request you vote to oppose and/or deny based on this paragraph. Please note that we asked at the drop-in meetings why the Air Pollution District was not a part of these meetings to share in on the added pollution due to this development.

Air-3 states that since it cannot be foreseen the amount of construction occurring nor the exact location it cannot be determined if the emissions could be adequately controlled or reduced. Based on this statement, we believe the study is not complete as it must be looked at, precise and discussed. We are opposed based on this statement and request that you vote to oppose/deny.

Greenhouse Gas Emissions cumulative impacts are significant and unavoidable. Based on this statement we oppose and request that you vote to oppose/deny.

Impact NOI-1 – This statement states that impacts are significant and unavoidable. It also states that they are unable to quantify therefore there is no true, accurate impact identified and said report is incomplete. Based on this statement we oppose and request that you vote to oppose/deny. The Cumulative Noise impact is again noted as significant and unavoidable.

Exhibit 5-2 of the EIR shows just under 2,500 acres of Prime Farmland, and Farmland of Statewide and Local Importance, Unique Farmland of Importance, etc.

The EIR Table 5-1 under paragraph 5.7 states there is no location in the City where 45,000 homes (yes the Plan calls for 45,000) could be constructed while avoiding environmental impacts to ag land. Ag land would be impacted regardless. However, the land is not your basic ag land, it is Prime Farmland, it is land that sits next to the Briggs Irrigation Ditch which is rare, it's farmland with statewide and local importance, it's my backyard, small farming, however, we the property owners choose to define it, its our land that you want to dismantle, convert, and take so that you can build 45,000 homes, parks, and research and development.

The Orchard Supply Building on Clovis and Kings Canyon has sat empty for a number of years, that can be your research and development. You want to take our farmland, our livelihood, what feeds our

families, our communities, for a bike trail, a park, a residential development to teach people to have a garden (who will teach them there is no guarantee that they will use it for such) all the while destroying the Prime Farmland we landowners have created destroying our way of life and country life. You will add 45,000 homes during a recession, a time when most cannot afford, thereby creating more empty houses. You want to disrupt our way of life and destroy the farmland that we have just to build more homes that most cannot afford. You want to help this community have your builders or developers lower the prices of their homes to sell those existing homes already built. Convert some of these developments/homes already in progress into mixed residential. Ag land should be the last thing we convert, land that currently feeds us. That salad you had for lunch, fruit, etc. came from one of us most likely.

We oppose the alternatives set forth in the EIR due to the type of land we are looking at as referred to in this report: Prime Farmland, Farmland of Statewide and Local Importance, Unique Farmland. Based on the impacts as listed above and based on viable alternatives, we request that you deny/oppose the EIR. Furthermore, we oppose as this EIR shows that the plan is fiscally irresponsible and environmentally irresponsible. Finally, we request that the SEDA Plan be opposed and denied. If you review the Level of Significance as outlined in the EIR, we have listed below just a few that are classified as Significant and Unavoidable; therefore, for these reasons request you oppose and deny the City's Plan and find another area or location in the City of Fresno for said projects. The impacts are significant and unavoidable.

Finally, we were informed and received in the mail, on July 21, 2023, the City's flyer for the "Drop-In" meeting; the first meeting set for July 24, 2023, hosted by the City of Fresno. As you can see from the dates, this was three days before the first scheduled meeting. As I verbally stated and inquired about with the City during the July 24th meeting, what is a the meaning of a Drop-in meeting? Who decided to title this meeting as a Drop-In? To title it as such, is misleading and misrepresenting the intent of the City and purposes of said meeting. This title lacks transparency and is intended to misstate and mislead the purpose of an extremely important topic of discussion. It does little to ensure community/public attendance, involvement, participation and is a sure way to prevent and limit public input. This is an extremely important meeting that impacts the community of southeast Fresno, specifically the Fresno Southeast Property Owners (SEPO) and therefore, I believe was titled as such to limit the number of attendees and silence the opposition. Furthermore, Sontaya Rose from the Mayor's office was in attendance and can confirm as well as other City representatives, the location picked for the first important meeting on July 24th lacked the capacity to hold the number of attendees, safely and comfortably, and posed a safety hazard in that it was about 105 degrees outside and there was no working AC inside said building thereby making it 110 degrees most likely inside with all the people in the building. As I stated on that date, I believe that was a safety hazard and put citizens at risk and compromised their health and well-being. Not one representative spoke to that and acknowledged that the first meeting should be rescheduled or some other remedy. The temperature inside the building added to the frustration felt by most of the members of the community. As I stated, this meeting labeled by the City is misleading, and a calculated manner in which to misrepresent, misstate, and divert the public's attention to what it is in actuality and that is to take and change or convert land from the property owners. Should the meeting have been labeled annexation, eminent domain, town hall, any one of those trigger words the public at large would have a true understanding of what is occurring in the southeast area of Fresno and would understand the true discussions and importance of what is happening thereby enhancing attendance and opposition. Furthermore, I see no link for those to participate virtually due to a disability, medical necessity or some other personal reason. It was stated that the City would have one day assigned to a webinar. As you know, the topics of discussion can be

convoluted and we the community would need time to research the Q&A dialogue that is provided to us therefore one day for those unable to physically attend is not enough. The public should not be limited to one day; we should all be afforded the same the ability to attend all meetings. Quite frankly, the information changes so frequently it would be in the best interest of the public to attend all meetings. As such, in this regard, we strongly oppose. Furthermore, the meeting by the City on 7/24/23 was very unorganized and lacked structure and foundation as to the discussions and topics and the City ran out of comment cards in English—the space allowed for comments was minimal on such an important topic of discussion.

I would also like to know why no representative of the County was in attendance at these meetings? A representative of the City was asked about annexing property and the City representative responded with the City would not annex. Please confirm the process for annexation and if not the City of Fresno, then please confirm the responsible agency. Please provide details on what grounds for annexation, the criteria or guidelines that must be met to annex property/land? If this response requires information from the County, I would ask that you direct City representatives to coordinate their response and work with the County of Fresno or any other agencies involved to get said information. I believe the City of Fresno when asked these types of questions it is their responsibility to answer in detail and they are required to be fully transparent and should be able to intelligently communicate if not their agency the appropriate agency involved and that would handle. To leave the response as simple as it's not the City, is vague and intended to mislead the public. The City knows the answer to the question and to not provide a full response is intentional. It may not be the City's responsibility to annex but if they know that it is the responsibility of another agency they should state as such.

I believe the SEDA homeowners/property owners have a right to know the following information. If there are costs associated with any of these requests, please confirm the amount or charges, in writing, prior to providing said information.

- Please provide the number of EIR's that are submitted to the City of Fresno per calendar year; and how many are rejected or voted as unapproved; how many are submitted to LAFCo per calendar year, voted as unapproved or rejected and the bases/reason for said vote.
- On April 25, 2023, an item went to the Fresno County Board of Supervisors, Agenda Item #8 regarding a variance application that falls within SEDA. During Mr. Assemi's comments to the Board, he referred to having received a timeline from the Mayor on the project. Please confirm what that timeline was and if a copy can be provided electronically to the property owners should they wish to received; and please explain why a developer would have that information but not the property owners who would be negatively impacted by SEDA? When was the timeline (Assemi refers to in his comments) provided to him by the Mayor? When was this timeline provide to the property owners (SEPO) who will be impacted? If it has not been provided to the property owners, why? My household has not received a timeline from the Mayor nor was one provided to property owners at any drop-in meeting and to my knowledge a timeline has not been provided to property owners in any meeting thus far by the City of Fresno. Please confirm how many variances in the SEDA project area have gone through the process, what that process is, including how many have gone to the County of Fresno Board of Supervisors for vote and the vote result from the start of the project(s)/plan to present?
- Please identify the land parcels, land and farmland in the SEDA project area that have been purchased by developers, date of purchase, names of builders, corporations, school district, water districts, and any other business organization, corporation or entity from the start of SEDA

- to present that have purchased. Please include the names, cross-streets, parcel numbers and any other identify factors of the land pending a sale, owned, purchased or sold.
- Please provide the information on when the property sold or was purchased and include land, property that is pending sale/purchase.
- Please provide the members of our community, SEPO (Southeast Property Owners), with information on how much farmland/land is currently owned in Fresno County, CA by Darrius Assemi and/or Granville Homes and any other developers, builders or business organizations.

If this type of development continues, the lack of farmland to our community as well as the substantial loss of prime farmland is irrecoverable and factor in good farmland with irrigation resources such as ours, it is irrecoverable. Therefore, **we strongly oppose** the EIR and the SEDA development and ask that you deny and reject both in order to protect and preserve our homes and land.

The City of Fresno needs a boundary, do not grow it out here destroying the aesthetic rural southeast farmland.

Thank you.		
Respectfully,		
Natalie Ortiz & Family		

SANGER UNIFIED SCHOOL DISTRICT

1905 SEVENTH STREET • SANGER, CA 93657 (559) 524-6521 FAX (559) 875-0311

DENNIS WIECHMANN, ED.D SUPERINTENDENT

August 25, 2023

City of Fresno
Planning and Development Department
c/o Adrienne Asadoorian, Planner III
2600 Fresno Street, Room 3065
Fresno, CA 93721

Subject: Draft Program EIR for SEDA Specific Plan

Dear Ms. Asadoorian:

This letter includes the comments of the Sanger Unified School District on the Draft Program Environmental Impact Report (DPEIR) for the Southeast Development Area (SEDA) Specific Plan EIR. The Sanger Unified School District (District) encompasses most of the territory within SEDA (all land south of Tulare Avenue) and approximately 30,000 of the potential 45,000 new housing units.

The proposed plan shows 16 neighborhood centers within the Sanger Unified portion of SEDA, each of which would include an elementary school integrated with a park and other neighborhood center functions. High school and middle school facilities would also be needed. The District's March 25, 2022, letter in response to the Notice of Preparation indicated that the Draft Program EIR should analyze whether the number of schools shown is appropriate to serve the buildout population of the SEDA Specific Plan based on anticipated student generation rates for the various types of planned housing units. It does not appear that the information requested was provided in the DPEIR or Specific Plan. Only a very generalized estimate of the total number of students generated was provided and this is likely substantially inaccurate based on the information in the following paragraph.

On page 3.15-9, under the Student Generation Rates heading, the DPEIR cites a statewide K-12 student generation rate (0.7) and multiplies it by the total number of units anticipated in the SEDA Specific Plan area (45,000) to estimate the number of students generated at buildout of the plan (31,500 students). Since about two-thirds of the housing units would be within Sanger Unified, approximately 21,000 students would be generated in Sanger Unified. It is important to note, however, that student generation rates for individual school districts can vary greatly from the 0.7 statewide average, and there are also substantial variations in student generation rates depending on the type of unit constructed. The most recent student generation rates for Sanger Unified are .679 for single family units and .127 for multiple family units per the District's May 2022 Development Fee Justification Study.

Every Child, Every Day, Whatever it Takes! -----

(Note: Clovis Unified student generation rates are also less than the 0.7 statewide figure.) While the .679 student generation rate for single family units approaches the 0.7 statewide figure, the .127 multiple family unit rate is much lower than the single family rate, which is typical for most school districts. The SEDA plan provides for a large number of multiple family units to be built and the lower generation rate for such units is not accounted for in the estimate of students generated by the plan. Therefore, the estimated number of students resulting from development of the plan area would likely be substantially less than that stated on page 3.15-9. If this is the case, the number of planned schools needed might be less than that shown in the proposed land use plan.

On page 3.15-9, under the School Impact Fee heading, the discussion is oriented to street facilities fees rather than school impact fees. Shouldn't this section include information on the impact fees that the District charges for new residential and commercial/industrial development?

On page 3.15-13, under the heading of California Government Code, Section 65995(b) and Education Code, Section 17620, the fee information provided is substantially out of date. It mentions the statutory fees approved by the State as of January 24, 2014 (\$3.36 per square foot for residential development and \$0.54 per square foot for commercial/industrial development). The current fees as of the last time they were adjusted by the State allocation Board in January 2022, are \$4.79 per square foot for residential development and \$0.78 per square foot for commercial/industrial development.

The various objectives and policies related to schools on pages 3.15-24 through 3.15-27 are well thought out and laudable. Schools are essential to the fabric and success of neighborhoods and although the District has the primary legal responsibility for the location, design and operation of schools, the District wants to work closely with the City so that the objectives and policies of the plan can be realized to the extent possible.

On page 3.15-36, the second paragraph (continuation of Impact Analysis under Impact PUB-3), indicates that:

"... as the City receives development applications for subsequent development under the proposed project, those applications will be reviewed by the City for compliance with the policies and objectives of the General Plan to ensure that school services keep pace with new development. In addition, the Municipal Code, which implements the General Plan would be reviewed when development applications are received. Therefore, future development under the proposed project would not result in significant adverse effects related to school services and impacts would be less than significant."

Regarding the above statement, it is unclear how reviewing development applications will ensure that school services will keep pace with new development. The key to ensure that school services will keep pace with new development is having adequate financing to build the schools in a timely manner. Schools are funded by a combination of statewide bond measures, local bond measures and developer fees. State bond measures require voter approval and are anything but certain. When they are approved, the funds are often depleted quickly due to a backlog of unfunded projects. To get state funding, school districts must match with a local funding contribution that mostly comes from local bond measures which

must be approved by local voters. The amount of the bond measures are based on assessed valuation, and the measures require a supermajority vote of either a 55% or 66.6% vote depending on the amount requested. Developer fees are an important school funding component, but they are substantially inadequate for funding schools unless state and local bond measures are approved.

Obtaining the funding necessary for 16 new elementary schools and at least another high school and middle school will be a substantial challenge if left to the current funding methods for financing schools. As stated in the EIR Notice of Preparation, implementation of the Specific Plan would require a comprehensive infrastructure plan that "must be accompanied by a comprehensive and detailed financing and implementation strategy that includes the phasing and financing of development and all major infrastructure." We believe it will be very important for the District to engage with the City in the infrastructure planning process to determine how best to fund the school facilities needed and provide them in a manner to keep pace with new development. We recognize that development of the Sanger Unified portion of SEDA is not anticipated to occur until about 2035, but it will be very important to set up an infrastructure financing plan that includes schools before this happens.

Thank you for the opportunity to review and comment on the Draft Program EIR. We look forward to collaborating with the City of Fresno in the implementation of the SEDA Specific Plan to ensure that well-located and designed school facilities can be financed and constructed when needed to serve future new development in the Sanger Unified portion of the SEDA Specific Plan. Please let me know if you have any questions on this letter.

Sincerely,

Jimmy Robles

Chief Operations Officer

Ching Robbia

From: <u>Joshua</u>

To: Adrienne Asadoorian

Subject: SEDA

Date: Monday, July 31, 2023 2:39:31 PM

External Email: Use caution with links and attachments

Hi Adrienne,

I am writing you because I was/ am unable to make any of the drop-in events to voice my opinion of the Southeast expansion.

I wanted to let made it be know as a property owner in the impacted area that I am very much against the annexation of our property to the city.

Not only will this forced annexation impact and diminish our rural lifestyle but It will force us to leave the area. In my opinion the City of Fresno should figure out how to effectively manage the land/area they already have, before adding more to the city limits. The city currently has many underserved and neglected neighborhoods that should be the focus rather than adding more into the city that will also, eventually, suffer the same fate. Between the homeless problem in the City and the trash/graffiti problem I don't understand how the City would even consider adding more onto an already impossibly full plate. Fix the current city before forcing us into this mess as well.

I speak for my entire family when I say I am strongly opposed to this annexation.

Please call me for any questions,



City of Fresno
Planning and Development Department
Adrienne Asadoorian, Planner III
2600 Fresno Street, Room 3065
Fresno, CA 93721

Email: Adrienne. Asadoorian@Fresno.gov

Comments on Draft Program EIR for Fresno Southeast Development Area Specific Plan Project

State Clearinghouse Number 2022020486 – Comments by Mark Reitz and Dale Reitz

We would like to congratulate and thank the city of Fresno for their work in preparing this significant document and moving towards adoption of a Specific Plan for the Southeast Development Area that has been discussed and anticipated since 2007. As long-time property owners of a family home and farm within this area for over 100 years at 1080 S. Temperance (east of Temperance between the Railroad and Church Avenues), we and our neighbors welcome the opportunity to provide input to this Plan, and hopefully provide local perspective to responsible growth and for the benefit of the city of Fresno for years to come.

We have watched the city grow to the southeast over the past 50 years, and we are excited for a well-planned and responsible expansion of Fresno. Currently, there are three new major residential subdivisions directly across the street from our farm property on Temperance Ave.

We and our neighbors have attended numerous planning meetings and public presentations. We have offered our written recommendations and alternative maps regarding land use planning in our area going back to 2007. These documents have been passed on to various members of the Fresno Planning Department staff who have been very gracious in reviewing them and providing further direction for us on how we should submit our recommendations and input.

Below are a few of the justifications we presented in our prior letters and documents for relocating a portion of the Land Use Plan Area bounded by Temperance Ave. to the west, Church Ave. to the south, the Briggs Canal to the east, and the Railroad to the north, from Flexible Research and Development/Regional Business Park to a mixture of Community Center, Mixed Residential, and Neighborhood Residential. We request this change or some version of it for the reasons outlined in the documents previously submitted and summarized below. Also, considering there is a serious shortage of housing in Fresno and California this change should be desirable.

- The Sanger Unified School District has recently purchased and zoned a 15-acre parcel on the
 west side of Temperance about midway between the Railroad and Church Ave. This school
 as well as the new High School at Jensen and Fowler Avenue would benefit by having more
 residential homes and apartments closer to these schools to reduce car miles driven and
 allow walking to school.
- A community center, a small commercial center, and similar job-creating uses at this site will serve the proposed residential and mixed residential areas as well as the very large residential areas (4 square miles) to the west of Temperance between Kings Canyon Road and Jensen Avenue. Currently there are no shopping/commercial areas for over 3 driving miles to the Kings Canyon/Clovis Avenue center. Adding a small community center/office/commercial center and some mixed residential would greatly reduce trip miles, air pollution, and noise. These uses would not conflict with the large community center proposed at DeWolf and California Avenue and would complement it by reducing trip miles between shopping/office space needed in both areas. The proposed four-lane California Avenue would support both developments and conveniently connect the Temperance and DeWolf arterial streets for both bicycle and foot traffic.
- There is significant pressure/demand on this area to develop employing these land uses due to the SR 180 Freeway completion. Temperance Avenue will be a major connector between SR 180 and Jensen Avenue for communities to the south and east such as Sanger, Del Rey, Reedley, Parlier, and Selma. There are no services, such as gas stations, grocery stores, drug stores, restaurants, etc., to serve this traffic volume. The streets and large community centers proposed over a mile to the east will not develop for 15 to 20 years or more and will not be able to serve the immediate needs. This inconvenient situation will create more trip miles, air pollution, and noise.
- More jobs will be created by the uses we proposed compared to the Business Park/Flexible R&D land uses. If these proposed Business Park lands develop in this area in the distant future, it would be primarily warehouses, storage areas, or agricultural-related processing industries. There are already many large industrial areas in the Fresno area along Jensen Avenue to the west, at the Fresno airport only 5 miles away, and in Clovis. There is no demand in this area for such land use, and it would cause this area to develop last, if ever. By making this area Flexible R&D, it will essentially stop or severely slow development of this area and cause development to leapfrog over to areas east of the Briggs Canal. This would cause an expensive and undesirable situation for City services, such as roads, water, sewer, storm drainage, gas, and electrical, to be extended far to the east without development west of the Briggs Canal. Stranded areas of land development are sure to cause unnecessary environmental impacts, future inconvenience, and wasted money.
- The industrial area to the north of the railroad at Temperance up to Butler Avenue is primarily an agricultural/wet industry (La Destria, formerly Bonner Packing). This is a

significant industrial development that has existed for over 125 years at this large site. Zoning of Business R&D may not be consistent with this existing use due to significant odors, noise, rail (double rail spur), truck traffic, and similar environmental impacts. We suggest that this entire area north of the railroad up to Butler Avenue be kept as industrial only. The railroad would provide a good buffer and transition to the community center/office/Mixed Residential uses we are proposing.

- If it is necessary to have a certain number of Industrial or Business Park/Flexible R&D acres in the plan, we suggest moving this zoning to south of Jensen Avenue and west of Temperance Avenue. The present plan shows some residential in these areas, which would be an environmentally unsound choice due to the heavy traffic noise, and air quality impacts created by a future six-lane roadway such as Jensen Avenue. An example of this undesirable situation can now be found on the north side of Jensen between Clovis and Fowler Avenues, where homes are being built adjacent to this busy highway.
- As evidenced by our previously proposed application in 2008 for this modification, over
 70 percent of the property owners (17 parcels) in this area do not want the Industrial/Flex
 R&D zoning in this area. These property owners have owned and paid taxes on these
 properties for many years, in some cases over 75 years. Many of the parcels are small (less
 than 10 acres) and are not conducive to developing the larger parcels necessary for
 Business Park/Flexible R&D, which would further hamper the sales and development of the
 area for these uses. This condition would promote further leapfrogging over this area.
- The Phasing of Development shown as Exhibit 6 provided at the May 3rd 2022, public meeting showed our area to be developed third of four phases. We disagree with this phasing order and feel the area shown as third should be second and the area shown as second moved to third. The area south of Jensen is entirely agricultural now with no major roads completed other than Jensen Ave. There are also no utilities extended near this area. Development of this area would be much more expensive and cause additional deleterious environmental impacts. The State Center Community College is no longer planned for this area, so there is no reason for the land to be developed before the area east of Temperance Avenue between SR 180 south to Jensen Ave. The latter area is already developing due to the new Freeway and the near future extension of Temperance Ave as a super arterial. Also, the new Southeast Fresno water treatment plant is just to the northwest, and can be used to bring water to this area more economically. We would appreciate your consideration in this logical and environmentally sound change if phasing of the SEDA area is proposed.

In reading Chapter 5 of the Draft Program EIR prepared by the City of Fresno, the city considered various Land Use Alternatives. One of these, listed as **Alternative 2**, **Consolidated Business Park Alternative**, is described as follows:

Under the Consolidated Business Park Alternative (Alternative 2), the SEDA Specific Plan would occur as planned, but this alternative maintains the Flexible Research and Development land designations from the General Plan for the area south of Jensen Avenue. It would accommodate approximately 42,900 homes and 36,000 jobs within the 9,000-acre planning area. This is approximately 2,100 fewer homes and 1,000 fewer jobs, when compared with the proposed project. Alternative 2 would have slightly less density of development than the proposed project. The area identified in the SEDA Specific Plan as Flexible Research and Development to the east of Temperance Avenue and north of Jensen Avenue would be developed as Neighborhood Residential and Mixed Residential with two community centers and five neighborhood centers. Additionally, this alternative would change the land use designations for the planned Mixed Residential and Neighborhood Residential, along with the Community and Neighborhood Centers south of Jensen Avenue. Under Alternative 2, that area would be designated as Flexible Research and Development and Offices. Please refer to Exhibit 5-1 for a visual representation of this alternative.

The Exhibit 5-1 Land Use Map is enclosed with this letter as well as **Exhibit 1-1 which is the** called the "Proposed Project" in this document. This "Proposed Project" is the same land use document that has been unchanged since the original work on SEGA plan was done in 2007.

The Alternative 2, Consolidated Business Park Alternative, essentially agrees with what we and our neighbors have been proposing since 2008 and we are extremely pleased that it was analyzed to the same degree as the "Proposed Project" in the Draft EIR. The results of this analysis, as described in detail in Chapter 5, were determined to be an environmentally superior alternative as compared to the "Proposed Project" when all aspects are considered. This determination was illustrated in Table 5-1 of the Draft Program EIR and is enclosed with this letter. Below are excerpts from the Draft Program EIR that reflect this determination as well as the project objectives relative to new dwelling units and jobs.

5.2 - Project Objectives

As stated in Chapter 2, Project Description, the objectives of the proposed project are to: **Quantified Objectives**

- Accommodate between 40,000 and 45,000 dwelling units of varying types, sizes, densities, and affordability levels.
- Accommodate between 30,000 and 37,000 jobs.

5.6 - Environmentally Superior Alternative

CEQA Guidelines Section 15126(e)(2) requires identification of an environmentally superior alternative. If the No Project Alternative is environmentally superior, CEQA requires selection of the "environmentally superior alternative other than the No Project Alternative" among the project and the alternatives evaluated. The qualitative environmental effects of each alternative in relation to the proposed project are summarized in Table 5-1.

Land Use and Planning

Alternative 2 would have slightly less density than the proposed project. Alternative 2 would not physically divide an established community. This alternative would allow for planned development and growth and would increase connectivity and support, strengthen, and connect new communities. However, this alternative might reduce impacts to land use by consolidating Office Center and Flexible Research and Development land uses to the area south of Jensen Avenue. Therefore, impacts to land use would be expected to be less than significant, similar to but slightly less than the proposed project.

5.6 - Environmentally Superior Alternative

"The Consolidated Business Park Alternative is the environmentally superior alternative because it has similar, but slightly less, impacts as compared to the proposed project and meets the project objectives."

Also enclosed as a separate attachment is a brief executive summary of the relevant discussions in Chapter 5 of the Draft Program EIR that reinforce our conclusions and recommendations.

In summary we wish to thank the city and city staff for allowing us and our neighbors to comment on the Draft Program EIR. For the reasons stated above and also as stated in your own Draft Program EIR, we request that the *Consolidated Business Park Alternative* (Alternative 2), be adopted as the preferred land use plan and be adopted as such. We hope that the City Planning Department and the City Planning Commission will make this recommendation to the City Council for adoption based on the desires of the property owners in this area as well as the analysis performed by their EIR consultant in accordance with the CEQA process. If you have any questions, you may contact me at the address and contact information below.

Sincerely

Mark Reitz PE

Dale T. Reitz

Enclosures

CC:

Annalisa Perez District 1 Council Member, <u>District1@fresno.gov</u>

Mike Karbassi District 2 Council Member, <u>District2@fresno.gov</u>

Miguel Arias District 3 Council Member, <u>District3@fresno.gov</u>

Tyler Maxwell District 4 Council Member, <u>District4@fresno.gov</u>

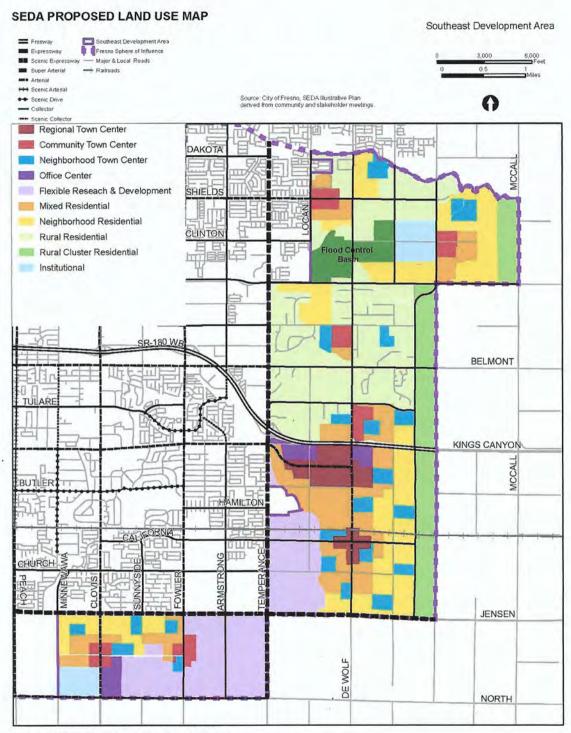
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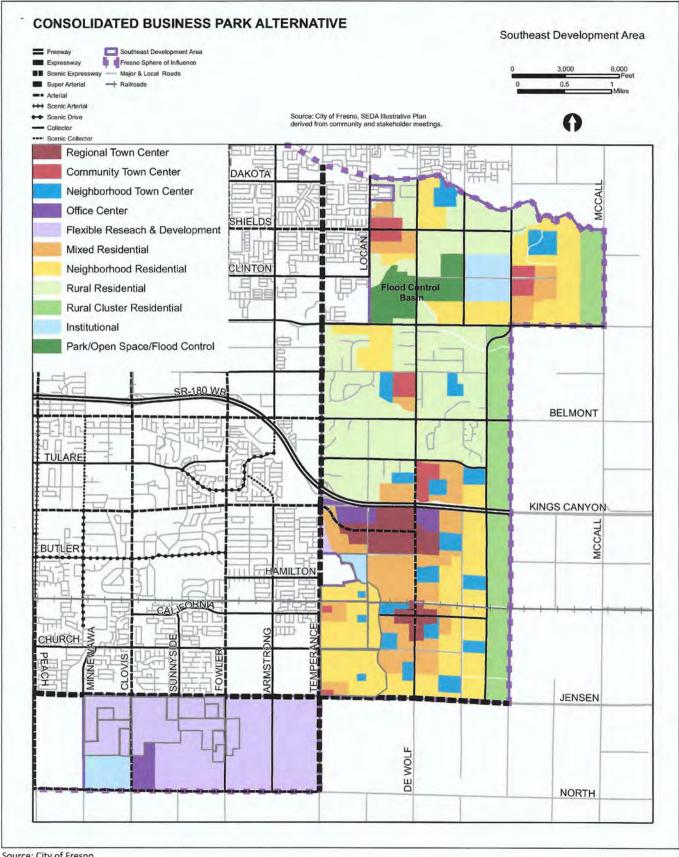
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Nathan Magsig District 5 Supervisor, <u>District5@fresnocountyca.gov</u>



Map 2.5 SEDA Proposed Land Use



Source: City of Fresno



Exhibit 5-1 Consolidated Business Park Alternative

5.6 - Environmentally Superior Alternative

CEQA Guidelines Section 15126(e)(2) requires identification of an environmentally superior alternative. If the No Project Alternative is environmentally superior, CEQA requires selection of the "environmentally superior alternative other than the No Project Alternative" among the project and the alternatives evaluated. The qualitative environmental effects of each alternative in relation to the proposed project are summarized in Table 5-1.

Table 5-1: Summary of Alternatives

Environmental Topic Area	Alternative 1: No Build Alternative	Alternative 2: Consolidated Business Park Alternative	Alternative 3: Farmland Conservation Alternative
Aesthetics, Light, and Glare	<=	<=	<=
Agricultural Resources and Forestry Resources	<=	<=	<=
Air Quality	<=	<=	<=
Biological Resources	<=	<=	<=
Cultural Resources and Tribal Cultural Resources	<=	<=	<=
Geology, Soils, and Seismicity	<=	<=	<=
Greenhouse Gas Emissions	<=	<=	<=
Hazards and Hazardous Materials	<= · ·	<=	<=
Hydrology and Water Quality	<=	<=	<=
Land Use and Planning	<=	<=	>
Mineral Resources	<=	<=	<=
Noise	<=	<=	<=
Population and Housing	<=	<=	<=
Public Services	<=	<=	<=
Transportation and Traffic	<=	<=	<=
Utilities and Service Systems	<=	<=	<=
Wildfire	<=	<=	<=

Key:

Impact finding is the same as the proposed project: =

Impact finding is the same as the proposed project but slightly less impactful: <=

Impact finding is the same as the proposed project but slightly more impactful: >=

Impact finding is less than the proposed project: <

Impact finding is greater than the proposed project: >

Source: FirstCarbon Solutions (FCS) 2022.

After a review of the SEDA General Plan, Draft PEIR Specific Plan, and the three Alternatives, we believe the Consolidated Business Park Alternative 2 offers the best course of action to satisfy the PEIR Project objectives.

Alt 2 would maintain existing R&D land designations from the General Plan for the area south of Jensen Avenue, but allow the area east of Temperance Avenue to be developed at Neighborhood and Mixed Residential with two community centers and five neighborhood centers (p. 5-6). This scenario would permit proper organized and phased development on potentially stranded land east of Temperance and west of the Briggs Canal. Consolidation of Flexible R&D land south of Jensen Avenue would offer the opportunity for synergies of planning and phased development in one contiguous area instead of two separate tracts.

Alt 2 would accommodate 42,900 homes and provide 36,000 jobs within the 9,000 ac planning area (p. 5-14). These estimates are 95% of the <u>maximum</u> in the range outlined in the project objectives of the SEDA Specific Plan (p. 5-7) and 97% of the <u>maximum</u> jobs in the range outlined in Plan, while offering the benefit of slightly less development density and environmental impact.

Alt 2 would consolidate the proposed Office Center and Flexible R&D land uses to the area south of Jensen Avenue, thus preserving more undeveloped space (p. 5-15). Alt 2 would not physically divide an established community, allow planned development, and increase connectivity to support and strengthen new communities (p. 5-18).

Alt 2 would provide similar development to the proposed project, but with slightly less intense impacts to agricultural, forestry, and biological resources (p.5-15).

Alt 1, No Project Alternative, would use current land use and zoning maps from the General Plan. This alternative would include an estimated 17,900 homes 29,600 jobs (p. 5-6). These numbers are below the range of homes and jobs identified as "quantified objectives" in the SEDA Specific Plan. Alt 1 would have similar, but slightly less, impacts than the proposed SEDA Specific Plan.

Alt 3, Farmland Conservation Alternative, envisions no future development or ground disturbing activities on specific farmland (648.61 ac) designated for conservation (p. 5-22). In addition, a Rural Cluster Residential Buffer (832 ac) on the east side of the Plan area would be excluded from development. Preserving this buffer farmland would reduce the transitional buffer and cause residential lands to be in closer contact with active agricultural land (p. 5-25). This unavoidable conflict of land use continuity would likely contradict the Specific Plan Policy UF-1.6 and create a significant environmental impact (Table 5-1). This land use conflict creates an incrementally greater environmental impact, rendering it inferior under CEQA Guidelines (p. 5-29).

"Alternative 1, the No Project Alternative, would not meet the project objectives. Alternatives 2 and 3 would meet many of the project objectives. The Consolidated Business Park Alternative is the environmentally superior alternative because it has similar, but slightly less, impacts as compared to the proposed project and meets the project objectives." (p. 5-29).

Thank you for your thoughtful consideration.

Mark Reitz and Dale Reitz



August 28, 2023

City of Fresno
c/o Adrienne Asadoorian, Planner
2600 Fresno Street
Third Floor, Room 3065
Fresno, CA 93721

Email: adrienne.asadoorian@fresno.gov

CC: Jennifer.Clark@fresno.gov; Sophia.Pagoulatos@fresno.gov; andrew.janz@fresno.gov

Subject: Additional Comments on the SEDA EIR from the Fresno, Madera, Tulare and Kings Counties Central Labor Council, Central Valley IAF, and Regenerate California Innovation, Inc. Please incorporate the following comments regarding the City's Southeast Development Area (SEDA) Specific Plan and draft Program Environmental Impact Report (EIR) into the record of this matter.

COMMENT SUMMARY: The SEDA EIR is fatally flawed for many reasons, as noted in a separate comment letter submitted on our behalf to the City of Fresno by Patience Milrod, Lawyer. Certainly not the least of these SEDA EIR deficiencies is the assumption and employment of out-of-date and questionable population growth projections in the EIR document, which do not recognize the accelerating trends of dramatically declining population growth in California and Fresno County as recently published by the California Department of Finance in July 2023. As a result of this critical flaw, the SEDA EIR materially overstates demand factors and the need for the SEDA Specific Plan to be seriously considered any time before 2060. Proceeding now with proposed SEDA Plan/EIR approvals and debt obligations for costly, unnecessary, uneconomic and potentially stranded public infrastructure investments in SEDA, will create significant debt service risks and a potential disaster for the City's long-term fiscal sustainability. These negative fiscal consequences from prematurely approving and implementing SEDA will further negatively impact existing city residents, businesses, and institutions who have and will be forced to continue to bear the stress and cost burdens of decades of cumulative and increasing urban decay and blight not effectively addressed by the City. We recommend that the deficient draft SEDA Specific Plan and EIR be shelved until the City of Fresno General Plan can be updated to comprehensively and factually reflect all changing trends, impacts, and resource constraints, and that the City of Fresno focus on addressing cumulative and increasing urban decay, and meeting housing and public infrastructure and service needs within the current Fresno city limits.

Questionable population growth projections in the SEDA EIR document are utilized to directly justify the extreme scale of new greenfield population and housing unit development proposed, and indirectly support the implied massive front-end public infrastructure costs required to

launch the scale of development suggested of SEDA Specific Plan. The SEDA Plan/EIR reference and apply out-of-date City of Fresno General Plan population estimates for 2035 (771,000 people) that reflected 1.5% annual population growth rates in the decade previous to General Plan adoption, and Fresno COG estimates for 2035 (621,540) and 2050 (COG: 728,200), that were apparently published pre-pandemic. Carrying these assumptions forward to current SEDA plan consideration is profoundly inconsistent with dramatically declining recent population growth trends for California and the central San Joaquin Valley. The California Department of Finance (DOF) released updated interim population projections in July 2023 that show no population growth for California as a whole over the next 37 years, and 3% net population growth for Fresno, Madera, Tulare and Kings Counties combined by 2060, which equates to an average annual compounded growth rate of barely 0.1% in Fresno's regional market area population and resulting related economic demand for Fresno.

The state of California Department of Finance (DOF) interim population projections issues in July 2023¹ indicate that in 2060, there will be 39,508,000 residents in the state, equating to 12,000 fewer residents than in 2020. This forecasts an actual long-term reduction in the Golden State's growth outlook, a dramatic decline in the population growth assumptions built into all California business demand and government funding models, which should cause all of us pause to reassess assumptions about major long-term investments and prospective returns on these investments throughout the state. The recent DOF projections come "after accounting for factors including declining births, aging residents, and more people moving away in the years leading up to and during the pandemic, officials now project the population will hold steady at around 39.5 million. . . A stagnant population could mean a shrinking labor force as the state fails to replace retiring Baby Boomers, potentially resulting in a flagging economy mirroring the decades-long malaise from which some Rust Belt states are still struggling to emerge."

When population growth baselines were developed for the current City of Fresno General Plan in 2008-2010, referenced in the SEDA EIR published in July 2023 as relevant population growth data, Fresno County was projected to have about 1.9 million in population by 2050. Fresno County is now projected by the State DOF to have about 1,095,000 people by 2060, up from 1,016,000 today, a little over 800,000 fewer people than forecasted 13-15 years ago. This new State DOF projection represents marginal Fresno County population growth of 79,000 people net over nearly four decades, better than the whole state losing 12,000 people net over the

¹ https://dof.ca.gov/forecasting/demographics/projections/ (P-2: County Population Projections (2020-2060)

² https://www.msn.com/en-us/travel/article/california-exodus-once-growing-rapidly-state-population-projected-to-remain-the-same-through-2060/ar-AA1eoT8j

same period, but not much net growth demand when compared to the Golden State's and our local area growth history.

The SEDA draft EIR states on Page 3.14-13: "The population potential for the Plan Area is within the population growth anticipated by the General Plan, which anticipates growth of up to 226,000 additional residents by 2035, consistent with the proposed project. Accordingly, implementation of the proposed project would not exceed the City's anticipated population growth."

The statement above in the SEDA draft EIR as it relates to anticipated additional residents by 2035 is no longer realistic or supportable based on recent State of California Department of Finance (DOF) interim population projections that indicate Fresno County on the whole will only add 79,000 residents over 37 years—see breakdown and references below.

The planned population capacity proposed for the SEDA Plan Area now actually exceeds population growth forecasted by the State for all of Fresno County by 2060 by a factor of nearly 2 times. If city of Fresno population growth represents approximately 54% of County population growth as it has in the past, then planned SEDA population holding capacities now reflect nearly 3 times forecasted growth for all of Fresno County by 2060. These are serious and material growth area demand overestimates and miscalculations in the SEDA EIR with extremely negative potential fiscal and economic consequences. The SEDA draft EIR simply and dangerously reprises now stale references from Fresno COG as noted above and below, and population estimates contained in the Fresno General Plan (GP) approved in late 2014 that projected a Fresno SOI (Fresno's Shere of Influence containing incorporated and unincorporated planning areas) population of 771,000 in 2035 (Table 1.5, Page 1-24, Fresno GP). See comparisons below.

July 2023 State DOF Population Projection Numbers versus Those in SEDA EIR

Year	July 2023 State DOF for Fresno County	Fresno City/SOI as 54% of County	SEDA EIR Numbers
2020	1,007,344	543,965	
2023	1,015,793	548,528	
2030	1,047,382	565,586	
2035	1,065,641*	575,446*	COG: 621,540** / City:771,000***
2040	1,083,901	585,306	
2050	1,098,503	593,196	COG: 728,200**
2060	1,095,205	591,410	

^{*2030+2040} divided 2 = estimate of 5-year interval growth to 2035

^{**}SEDA EIR Page 3.14.2

^{***} SEDA EIR Page 3.14.13 – references Fresno GP Page 1-24

So, future population growth trends forecasted by the State of California have dramatically declined, but SEDA Plan/EIR numbers reflect a past era of faster growth applied to the future. If these out-of-date growth numbers for SEDA are used as the basis for current public finance decision making, such decisions would likely jeopardize the future fiscal sustainability of entire City enterprise if bond financing or other types of debt financing are used to advance massive front-end new growth area public infrastructure costs. Substantially less growth would equate to inadequate debt service revenue from new hoped for development, portending bond payment defaults or substituting other City funds for growth area debt service needed for other essential purposes. Not researching and employing up-to-date State population forecasts in the SEDA Plan and EIR are fatal flaws and critical misrepresentations of demand for SEDA plan area development with potentially perverse consequences for the municipality and all our city's existing and future residents, businesses, and institutions.

The SEDA Plan then, as currently conceived, is rendered an anachronism in terms of relevant population projections even before public hearings about the plan and infrastructure financing approvals, and a dangerous anachronism at that. If the SEDA plan is approved and piecemeal developed as proposed, with huge sums of money borrowed to finance the massive front-end public works and utility infrastructure required by the plan, Fresno's much slower growth now forecasted by the State DOF could end up stranding very expensive nonproductive public assets with little revenue for debt coverage at the best, or could be a bankruptcy in the making for our municipality at the worst. The SEDA Draft Plan and EIR also do not address urban decay and blight production linked to new growth area residential and retail commercial development, the costs of which should be mitigated by adoption of significantly expanded growth area development impact fees.

We recommend an economically prudent and fiscally sound alternative course for the City of Fresno related to SEDA. Do not take these unnecessary public resource risks by prematurely approving an already outdated SEDA plan and EIR with its current massive front-end public financing scheme. In light of recent State DOF projections, take SEDA off the table and shelve it until it can be properly assessed at a more relevant time, scale, and cost, as part of a comprehensively updated Fresno General Plan that fully considers how the world has changed and continues to change and disrupt old private and public business models since the last General Plan update, and properly assesses the many new risks to sound public financing in an era of specious growth prospects.

In the interests of existing city residents, businesses, and institutions who have and will be forced to continue to bear the stress and cost burdens of decades of cumulative and increasing urban decay and blight until effectively addressed by the City, we also recommend:

 The City of Fresno focus on addressing cumulative and increasing urban decay, and meeting housing and public infrastructure and service needs within the current Fresno city limits, which contain more than enough vacant and underutilized land

- given the much slower growth anticipated for the state and our county and the Fresno market area region, and
- The City of Fresno work diligently with existing community, business and institutional leaders to investigate and genuinely consider expanded urban decay impact mitigation fees be applied to newly annexed residential and retail commercial development which is linked to urban decay and blight production.³

Submitted By:

Dated: 8/28/23	
Dillon Savory FRESNO MADERA TULARE and KINGS (COUNTIES CENTRAL LABOR COUNCIL
Dated: 8/28/23	
Mildre	
Keith Ford CENTRAL VALLEY IAF + State	Center federation of Teachers
Dated: 8-28-23	,
Keith Bergthold REGENERATE CALIFORNIA INNOVATI	ON (RCI)

³ Fresno Urban Deacy Analysis: https://www.greenfieldcoalltion.org/urban-decay-data

Via email to: Adrienne Asadoorian, Planner cc: Fresno County Board of Supervisors, Staff and Commissioners of the Fresno Local Agency Formation Commission (LAFCo)

We are writing to voice our opposition to the City of Fresno's Draft Specific Plan for its massive 8,700+ acre expansion into the re-branded Southeast Development Area (SEDA – formerly SEGA). We are property owners in the Sunnyside area near the SEDA plan area.

Fresno County's LAFCo Commission did the right thing in 2006 when it delayed allowing any annexations within the City's new SEGA Sphere of Influence (SOI) area until the City prepared not only a Specific Plan for the area, but also a full Environmental Impact Report (EIR).

Now, some 17 years later, according to the City's new EIR (Exhibit 3.4.1), we now know that more than 7,700 acres of <u>currently productive</u> Deciduous Orchard and Irrigated Row and Field Crops will be torn out to make way for urban residential and commercial development.

The loss of more than 7,700 acres of valuable San Joaquin Valley agricultural land represents a significant economic impact far beyond the mere value of the crops that cannot be mitigated. Our Valley is one of the most productive agricultural regions in the world and this land must be preserved for farming for our National Security. This impact is avoidable by LAFCo denying this Specific Plan.

Has the City of Fresno achieved its housing goal of 50/50 infill versus fringe development within its current (non-SEDA) boundaries under its current General Plan? Although some progress has certainly been made since the SEGA Sphere of Influence expansion in 2006, the City of Fresno still has more work to do to encourage infill development before proposing such a significant urban expansion as proposed in the SEDA Specific Plan.

Further, new 2023 data from California Department of Finance show that California's (-0.4%) and Fresno's (0.2%) population growth rate is much slower than was anticipated 17 years ago. The housing "crisis" described in the EIR is failing to materialize and there is simply no justification to push sprawl at this time when the need for more new housing has clearly slowed.

We appreciate the opportunity to comment on the City's Draft Specific Plan and hope Fresno LAFCo will vote to deny the SEDA Specific Plan, rescind the 2006 LAFCo Sphere of Influence expansion vote and return full control and jurisdiction of the 8,700+ acre area to Fresno County to avoid all the significant impacts that have now been outlined in the project's EIR.

Sincerely,

Tom and Aletha Lang

July 23, 2023

City of Fresno Council
2600 Fresno Street
Fresno, CA 93721
Mayor Jerry Dyer
Council President Tyler Maxwell, District 4
Council Member Annalisa Perea, District 1
Council Member Mike Karbassi, District 2
Council Member Miguel Arias, District 3
Council Member Luis Chavez, District 5
Council Member Garry Bredefeld, District 6
Council Member Nelson Esparza, District 7

City of Fresno Clerk Todd Stermer City of Fresno Planner Adrienne Asadoorian City of Fresno Planning Manager Sophia Pagoulatos

Fresno County Board of Supervisors 2281 Tulare, Room 301 Fresno, CA 93721 Chairman Sal Quintero, District 3 Brian Pacheco, District 1 Steve Brandau, District 2 Buddy Mendes, District 4 Nathan Magsig, District 5 Clerk of the Board of Supervisors

Dear Ms. Asadoorian

I am rather disappointed that The City of Fresno continues to spend money to coerce its residents to believe that annexation of the surrounding rural landscape is responsible land management. I feel that I must speak out against the proposed SEDA project. Its impacts that affect today are relatively small compared to the long term effects to Fresno's tomorrow.

I am a lifetime Fresnan. I have chosen to be educated in Fresno (Class of 1981 CSUFresno). I chose to stay in Fresno and to establish my career. I chose to raise my family in Fresno; I believe my children are "Fresno Proud." I have always thought that I am a part of the fabric that makes Fresno special. However, last week, I received in my mailbox the SEDA meeting notice flyer. It was addressed to "Occupant." I have lived at this address for over 35 years, and considering I pay property taxes, one would think the City might have my name on record. Is this the City's way of informing me that I am non-essential?

The purpose of this letter is to reference a few of my many concerns. I would prefer to voice these concerns in person. Unfortunately, I am attending personal, family business the week of July 24, and I am unable to attend the first two of the four SEDA meetings.

- 1) Why have other growth plans been disregarded? Please address why the City of Fresno chooses not to infill within the city's boundaries where infrastructure already exists. Based on the houses currently being approved and built near the proposed annexation area, it is apparent that residents have no problem living in multi-level homes with only a patio for yard space. These same houses could be constructed within Fresno's city limit.
- 2) Why is the soil in Fresno County not agriculturally valuable enough to be protected? Populations continue to grow. Northern and southern California residents are fleeing their overpriced and crowded

properties and moving to the quiet spaces of the central valley. Many of these new residents do not even work locally – rather they "zoom" to work. This migration inflates the central valley's property values thus making it more difficult for us "locals" to survive in the place we were born. The cycle is never ending. Please address how government officials can create innovative approaches to this growth other than paving over more agricultural land (AG-1). The soil in the project area is a natural resource. This soil produces food for millions of people worldwide, and once it is paved over it is gone. Much like California's coast line protections, this soil should be protected as well. Current growers are already being pushed out and ag workers are being displaced. Please save our agricultural jewel. Don't violate the Williamson Act.

- 3) How does this growth outwelgh the already growing health concerns surrounding air quality? Please address why the City of Fresno chooses not to maintain air quality (AIR-1-2-3). This project clearly states the added growth "potentially" will exceed the air pollution thresholds with no mitigation plan offered. During a "regular" summer versus a summer laden with wildfire there is no clean air. Our children are suffocating from asthma. Per the American Lung Association, the central valley suffers from having some of the worst air in the world and is already a health risk. The air we breathe is yet another natural resource being attacked under this plan. Clean air is already gone, and this project ensures its non-existence.
- 4) Is the avoidance of lowering greenhouse gas emissions purely a political maneuver for personal gain? Please address why the City of Fresno chooses not to lower greenhouse gas emissions (GHG-1). The EIR clearly states the project will add to global warming. There is not much more to elaborate other than: It's hot here don't add to it.
- 5) How can the City of Fresno guarantee that the distribution of water will not be a repeat of the water crisis in the Madera Ranchos? I know people who have been living in the Madera Ranchos with no water for over two years. This is a fact: there is not enough water for the SEDA expansion project's population growth. Please address a permanent and safe solution that does not create a negative impact on our water supply.

The EIR is too long; it is over 800 pages in length. I admit: I live in the proposed project area on two acres that was an abandoned vineyard. I do my best to be a steward of this land and air. I plant a small garden and share the fruit from my trees with my neighbors. I couldn't do this type of living within the City's limits, which is why I chose to live in a rural setting in the County of Fresno. The SEDA plan will take away my privilege of living where I chose to live 35 years ago. I will no longer be able to afford to live in my home. This cost to be annexed will force me to leave.

To City of Fresno officials: Stop the SEDA project.

To Fresno County Supervisors: Stand up and protect the citizens who elected you.

To everyone: Stop the unrelenting land grab and protect California's unique central valley.

QUALITY OVER QUANTITY.

Sincerely,

Annette Paxton





August 23, 2023

Adrienne Asadoorian City of Fresno Planning and Development Department 21600 Fresno Street, Room 3065 Fresno, CA 93721

Project: Draft Program Environmental Impact Report for the Proposed Southeast **Development Area Specific Plan Project**

District CEQA Reference No: 20230643

Dear Ms. Asadoorian:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the City of Fresno's (City) Draft Program Environmental Impact Report (DPEIR) for the Southeast Development Area Specific Plan (SEDA) (Project). The Project is a program level project and, while project-specific data may not be available until specific approvals are being granted, the DPEIR should include a discussion of policies, which when implemented, will reduce or mitigate impacts on air quality at the individual project level.

The District offers the following comments at this time regarding the Project:

1) Land Use Planning

Nearly all development projects within the San Joaquin Valley Air Basin, from specific plans to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality.

> Samir Sheikh Executive Director/Air Pollution Control Officer

More specifically, the DPEIR concludes Project air quality emission impacts will exceed District significance thresholds and thus result in significant and unavoidable impacts. As such, the District recommends the DPEIR incorporate strategies that reduce VMTs and require the cleanest available heavy duty truck vehicles, and offroad equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of walkable communities, electric vehicle charging infrastructure, etc. Additional design element options can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

2) Assembly Bill 617

Assembly Bill 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantage communities. The Project lies near one of the impacted communities (see Figure 1 below) in the State selected by the California Air Resources Board (CARB) under Assembly Bill (AB) 617 (2017, Garcia) and has the potential to expose sensitive receptors to increased air pollution within the nearby impacted community. The South Central Fresno CERP was adopted by the District's Governing Board in September of 2019 and identifies a wide range of measures designed to reduce air pollution exposure. Therefore, in an effort to reduce air pollution exposure to the impacted disadvantaged community, the District recommends the City incorporate mitigation measures outlined in the South Central Fresno CERP for the Project. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: http://community.vallevair.org/selected-communities/south-central-fresno

Figure 1: Southeast Development Area Specific Plan



3) Project Related Emissions

The DPEIR specifically states on page 2-13 that "The proposed project is a policy-level document and does not include any specific development proposals and may not fully evaluate the impacts of other future specific, individual development that may be approved under implementation of the proposed project".

The District recommends that the DPEIR require that future development projects that may be approved under implementation of the Project identify, assess and characterize project-level air emissions and require mitigation of air quality impacts at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

Future development projects should utilize the cleanest available off-road construction equipment.

3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

https://www.valleyair.org/transportation/GAMAQI.pdf.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf.

3c) Project Trip Length for HHD Truck Travel

The DPEIR page 3.3-65 states, "The proposed project would permit residential, office, commercial and industrial land uses. Development of land uses that are allowed under the proposed project may result in stationary sources of TAC emissions, including light industrial facilities, warehouses...etc." As a result, the City should include policies that require environmental review for future development projects (e.g. light industrial facilities/warehouses, commercial, etc.). Since the DPEIR acknowledges these types of development as part of the Project, these development projects have the potential to generate a high volume of HHD truck trips traveling further distances. As such, future

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environmental review should adequately characterize and justify an appropriate trip length distance for off-site HHD truck travel to and from the project site as well as the estimated number of trips supported by project-specific factors.

3d) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

3e) Allowed Uses Not Requiring Project-Specific Discretionary Approval

In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the DPEIR include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

4) Health Risk Screening/Assessment

The City should incorporate a requirement for all future development projects that may be approved under implementation of the Project to evaluate the risk on sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential TACs identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

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Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here: http://www.valleyair.org/transportation/ceqa idx.htm.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department:

E-mail: hramodeler@valleyair.org

• Phone: (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources.

5) Ambient Air Quality Analysis

The District recommends an Ambient Air Quality Analysis (AAQA) be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.

6) Voluntary Emission Reduction Agreement

The District recommends the DPEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for all future development projects that may be approved under implementation of the Project that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is

compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

7) Industrial/Warehouse Emission Reduction Strategies

The Project is expected to result in the development of industrial uses. Additionally, the DPEIR specifically page 3.3-65 states "The proposed project would permit residential, office, commercial and industrial land uses. Development of land uses that are allowed under the proposed project may result in stationary sources of TAC emissions, including light industrial facilities, warehouses...etc." Since the DPEIR acknowledges the potential development of industrial uses, the District recommends the City incorporate emission reduction strategies that can reduce potential harmful health impacts from industrial and warehouse developments, such as those listed below:

- Require cleanest available heavy-duty trucks and off-road equipment (see comment 9)
- Require HHD truck routing patterns that limit exposure of residential communities and sensitive receptors to emissions (see comment 8)
- Require the minimization of heavy-duty truck idling (see comment 10)
- Require loading docks be oriented away from sensitive receptors
- Require loading docks be located a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Require truck entries be located on streets of a higher commercial classification
- Require projects be designed to provide the necessary infrastructure to support use of zero-emissions on-road vehicles and off-road equipment (see comment 11)
- Ensure all building roofs are solar-ready
- Ensure all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Ensure all landscaping be drought tolerant

 Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project

8) Truck Routing

The DPEIR, specifically pages 2-6 through 2-9, provides the various land-use development types that will be included into the Project. For example, light industrial, manufacturing, commercial, and mixed-use just to name a few. These land-use development types have the potential to generate HHD truck trips. As such, the District recommends the City evaluate HHD truck routing patterns, with the aim of limiting exposure of residential communities and sensitive receptors to emissions.

Truck routing involves the assessment of which roads HHD trucks take to and from their destination, and the emissions impact that the HHD trucks may have on sensitive receptors (e.g. residential communities).

This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

9) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

The DPEIR, specifically pages 2-6 through 2-9, provides the various development types that will be included into the Project. For example, light industrial, manufacturing, commercial, and mixed-use just to name a few. These types of development have the potential to generate HHD truck trips. As such, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- Recommended Measure: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.
- Recommended Measure: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

10) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

The Project is expected to result in future development (e.g. commercial, industrial, etc.), that have the ability to result in HHD truck trips. The District recommends the DPEIR be revised to include a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

11) Electric Infrastructure For Future Development Projects

The DPEIR specifically MM AIR 1C states "All nonresidential buildings shall be designed to provide infrastructure to support use of electric-powered forklifts and/or other interior vehicles.... and all nonresidential buildings shall be designed to provide electric infrastructure to support use of exterior yard trucks and on-site vehicles."

The District recommends that the DPEIR be revised to expand MM AIR 1C to also require all nonresidential buildings be designed to provide electric infrastructure to support use of on-road zero-emissions vehicles, such as HHD trucks associated with a warehouse or commercial project.

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

12) <u>Under-fired Charbroilers</u>

Future development projects (e.g. commercial) have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is

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limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns. Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the DPEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: http://valleyair.org/grants/rctp.htm

13) Vegetative Barriers and Urban Greening

The Project is expected to result in future development (e.g. commercial, industrial, etc.). As such, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

14) Clean Lawn and Garden Equipment in the Community

Gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends future development projects that may be approved under implementation of the Project consider the District's Zero-Emission Landscaping Equipment program, which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: http://valleyair.org/grants/cgym-commercial.htm.

15) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Project .

16) District's Bikeway Incentive Program

Incorporating design elements (e.g., installing bikeways) within the Project area that enhance walkability and connectivity can result in an overall reduction of vehicles miles traveled (VMT) and improve air quality within the area. The Project includes new bikeways and bikeways improvements, and may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: http://valleyair.org/grants/bikepaths.htm

Guidelines and Project Eligibility for the grant program can be found at: http://valleyair.org/grants/documents/bikepaths/2015 Bikeway Guidelines.pdf

17) <u>District Rules and Regulations</u>

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to

contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

17a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation, which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

17b) District Rule 9510 - Indirect Source Review (ISR)

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, future development projects within the Project may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

District Reference No: 20230643 August 23, 2023

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

17c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

17d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: http://www.valleyair.org/busind/comply/asbestosbultn.htm.

17e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since they may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: http://www.valleyair.org/rules/currntrules/r4601.pdf

17f) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.

District Reference No: 20230643 August 23, 2023

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx

Information about District Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/pm10/compliance-pm10.htm

17g) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: http://valleyair.org/rule4901/

17h) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

District Reference No: 20230643 August 23, 2023

18) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf

If you have any questions or require further information, please contact Cherie Reed by e-mail at Cherie.Reed@valleyair.org or by phone at (559) 230-5940.

Sincerely,

Brian Clements
Director of Permit Services

Mark Montelongo Program Manager operty Owners Association



City of Fresno Jennifer Clark, Director Planning and Development Department 2600 Fresno Street, Room 3065 Fresno, CA 93721

ATT: Adrienne Asadoorian

RE: Draft Program Environmental Impact Report for the Proposed Southeast Development Area Specific Plan Project (State Clearinghouse [SCH] No. 2022020486)

The Board of Directors of the Sunnyside Property Owners Association (SPOA) appreciate the opportunity to provide comments regarding the above referenced Program Environmental Impact Report (EIA) for the proposed Southeast Development Area (SEDA) Specific Plan.

The plan area would accommodate 45,000 homes and 37,000 jobs within the nearly 9,000 acres by the year 2050 and provide for 31% of the total planned capacity of the City at General Plan Horizon buildout (2035).

While adoption of the SEDA Specific Plan will provide new opportunities for residents who want to move from blighted areas within the City, or for those who would prefer a Clovis or Sanger Unified School; it will unnecessarily remove large areas of prime farmland, transfer tax dollars from the inner City to newly annexed areas, and most importantly disincentivize quality development within the City core. In August of 2023, the Greenfield Coalition released an independent study by ECONorthwest to analyze the impacts of fringe development on the urban core. It outlines five causes of urban decay in the City of Fresno; Inefficient Land Use, Flight, Investment Patterns, Location/Relocation of Institutional Uses, and Location of Uses with Negative Neighborhood Effects. (More information can be found at greenfieldcoaltion.org.) While the State has promised an allocation of \$250,000 million for infrastructure repairs for downtown Fresno, developers have expressed concerns about the high cost of providing water and sewer lines in other legacy neighborhoods often preferring to build in locations outside the city center including land requiring annexation where they can accurately access infrastructure costs and receive public investment dollars to cover off-site and system wide infrastructure.

Fresno County's population is expected to peak at 1,098,725 in 2053 and then drop to 1,095,205, setting growth back to 2047's population of 1,095,984. 2023 data from the California Department of Finance shows only a 0.2% increase in the City of Fresno's growth, down from a peak of 1.06% in 2014.

Infrastructure costs for SEDA are estimated to be in the neighborhood of 400-600 million. This is above and beyond what developers are expected to pay for roads, sewer, water and street lights. Fresno Irrigation District will need to sign on to provide water, bus rapid transit will need to be expanded and most importantly, the Memorandum of Understanding between the City and County will need to be agreed upon.

Prior to adoption of the SEDA or annexation into the City of Fresno, we would strongly suggest that infrastructure and revitalization efforts within the City limits are explored, identified and

implemented. For without a concerted effort to improve what we have, we will only perpetuate further decay in the neighborhoods left behind.

We would offer the following comments on the PEIR:

Conversion of Prime Farmland: There are 6,741 acres of land in the plan area designated as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and Unique Farmland. The Southeast Development Area contains roughly fifty percent of the existing farming within the Planning Area of the General Plan, with approximately 5,000 acres currently farmed. While the proposed plan highlights compact and efficient development, most of the planned land use featuring intense development is proposed for the area around Kings Canyon Road and south of Jensen, where the majority of prime farmland and parcels covered under the Williamson Act are located. GP Policy RC-9-c requires the City of Fresno to adopt a Farmland Preservation Program when Prime, Unique and Farmland of Statewide Importance is converted to urban uses outside of city limits. GP MM AG-1.1 requires a program be established that would offset potential impacts from loss of farmland. We would suggest that the Policy requirements of GP RC-9-c be implemented and include:

- Placing an equivalent amount of high quality farmland in an agricultural conservation easement.
- Restrictive Covenants or Deeds
- In Lieu Fees
- Mitigation Banks
- Fee Title Acquisition
- Land Use Regulations

This policy should be in place prior to any annexations within the SEDA Fresno City Sphere of Influence. The City of Fresno should require all developments abide by the Farmland Preservation Program and strongly consider purchasing the equivalent amount and designation of farmland within the newly annexed area for placement as a conservation easement or restrictive covenant. In addition, the City should consider adding the Agriculture Land Use Districts to the Development Code, consistent with existing County of Fresno zoned parcels.

We would also recommend that the area south of Jensen from Minnewawa to Temperance be excluded from the SEDA Specific Plan as this is the area that has the most intense farming use.

Hydrology and Water Quality: The City of Fresno Metropolitan Plan was being updated when the Draft PEIR was being prepared to revise and update recommendations for water supplied in the Plan Area. Among the improvements are new municipal groundwater wells, recharge inter-ties to FMFCD basins to facilitate groundwater recharge in the Plan Area, expansion of SWTFs, new water storage and booster pump sites, and new water mains. The drilling of a new well can potentially impact the groundwater and flow patterns in the surrounding area which can affect nearby wells. Although there are no existing municipal wells in the study area, residents of rural residential and agricultural parcels depend on the groundwater for their water supplies. Domestic and small water system wells are typically drilled shallower than larger agricultural and municipal wells and are often the first to experience effects of declining water levels resulting in increased operating costs, changes in water quality, or inadequate water supply. We would ask that a policy reflecting the requirements in the Sustainable Groundwater Management Act related to considerations for identifying and addressing

drinking water well impacts be added to General Plan Policies under the Resource Conservation and Resilience Element. And any hook-ups to water or sewer for existing property owners in the Plan Area be subsidized and evaluated in the Pending Infrastructure Plan.

<u>Transportation and Traffic:</u> Unfortunately the Level of Service system of identifying traffic impacts has been replaced by Vehicle Mile Trips (SB 743). The project generated trips are divided by the total population at project year horizon: if the Vehicle Miles Traveled/per population is lower than the base year, then the project impact is less than significant. The traffic trips calculated for this plan area do not include:

- Projects that are within 0.5 of an existing major transit stop with service frequencies of 15-minutes or less during morning and evening peak hours, if the project has a floor ratio (FAR) greater than 0.75, does not include more parking than required by the jurisdiction (AB 2097 eliminated all parking requirements for mixed use development within 0.5 miles of a transit stop), and does not replace affordable units with moderate or high income units.
- Projects generating less than 110 trips per day.
- Projects involving local serving retail space of less than 50,000 square feet.
- Projects with a high level of affordable housing units.
- Projects generating less than 500 Average Daily Trips.
- Projects that develop institutional/government and public service uses that support community, health, safety and welfare.
- In addition, parking supply for retail uses can be reduced by 12.5 percent at project level.

Existing vehicle miles traveled in the SEDA plan are 330,350 and the SEDA VMT per Service Population is 57.79. The project is expected to generate an additional 866,452 daily vehicle trips. The Year 2035 with Project Conditions is 974,369 and a SEDA VMT per service population is 5.07. Even though the Vehicle Miles Traveled will triple, there is no mitigation required for this project.

The Traffic Impact Analysis evaluated traffic conditions at 20 study segments, and assumes all residents will work, live and play within the plan boundaries. It discusses connections to downtown but does not address those road segments. The California Department of Transportation requested peak hour ramp queue analysis be completed at the Highway 180 interchanges of Clovis Avenue, Fowler Avenue Temperance Avenue, DeWolf, Highland and McCall Avenues. The Fancher Creek Town Center will feature retail, restaurants and a movie theater and it is unreasonable and shortsighted not to consider the traffic impacts on Clovis Avenue from this plan area. We would request all California Department of Transportation recommendations regarding queue analysis be completed.

There are numerous references in the Draft Program Environmental Impact Report for the SEDA that reference additional studies when discretionary projects come up for review. Because many of the City's programs, policies and plans have either not been adopted or do not include the SEDA, it is essential that <u>all</u> projects remain discretionary providing a thorough assessment of the development's impact and public notification.

Respectfully submitted,

Sue Williams, Corresponding Secretary

Cc: Fresno County Supervisors Brian Pacheco, Steve Brandau, Sal Quintero, Buddy Mendes, Nathan Magsig, LAFCO Executive Officer Brian Spaunhurst and LAFCO Clerk Amanda Olives

Comments on the EIR for the SEDA Specific Plan released 7-14-2023

Because I am not an expert, I began reading the EIR with something I am familiar with. I saw Temperance Avenue at the top of page 3.17-5 so I started reading. My question; 'HOW CAN A DOCUMENT THAT WILL SO GREATLY AFFECT PROPERTY OWNER IN FRESNO COUNTY HAVE SUCH A GROSSLY ERRONIOUS STATEMENT AS THE ONE REGARDING TEMPERANCE AVENUE'?

Temperance Ave. is designated throughout as a "SUPER ARTERIAL". This is described as a 4, 5, or 6 lane road with a raised median.

It is described on page 3.17-5 as a four lane north-south arterial with an interchange at SR-180. Land adjacent to Temperance Avenue consists mostly of farmland, and the road becomes a two-lane facility south of Hamilton Avenue. The speed limit along Temperance Avenue is 40 mph.

Apart from the four lane at SR-180, nothing of the above is factual.

Temperance Avenue is a Super Arterial as defined from Shields Avenue north to Dakota Avenue. South of Shields Avenue to the four lane approaching SR-180 it is a two lane. South of Kings Canyon it becomes a three lane for a short period before returning to a two lane. It is not largely farmland, it is largely rural residential.

The speed limit along Temperance Avenue is never 40 mph, It varies along its length from 45 mph to 55 mph.

Every scenario for the road that has been previously presented by the city has shown it as being upgraded to a six lane with raised median, a raised median to frontage roads and pedestrian walkways. This is in the city's General Plan. We attended a city meeting at Boris Elementary School on this subject.

In no way does this coincide with any description found in the EIR.

If this is an example of the accuracy to the EIR as a whole, I think it calls into question the entire EIR. Especially since it would be so easy to accurately describe a single road.

The EIR says the speed limit on Jensen Avenue is 45 mph. In fact, through the plan area, the speed limit is 55 mph. It was, until recently 65 mph.

These may be small errors but they are indicative of poor research, possibly even research that has never been actual on-site research. Such sloppiness in one area will likely be evident in other areas and calls into question the accuracy and validity of the entire EIR. Also, perusing the full report, one finds page after page of repetitive language that seems carefully crafted to actually say nothing. A classic case of boilerplate that has probably been used in many other reports. This is certainly not the work of a report that actually took years and thousands of dollars to prepare.

Why is this important? Because this is base or background upon which policy and implementation are built. The end product is never any better than the foundation on which it is built.

Thank you,

Ross & Marie Potter

COMMENTS ON THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FRESNO SOUTHEAST DEVELOPMENT AREA SPECIFIC PLAN PROJECT

CITY OF FRESNO, FRESNO COUNTY, CA State Clearinghouse Number 2022020486

AUGUST 27, 2023

Submitted by Email and USPS to

City of Fresno
Jennifer Clark, Director
Planning & Development Dept.
2600 Fresno Street
Third Floor, Room 3065
Fresno, CA 93721
Jennifer.Clark@fresno.gov

Submitted by

VICTORIA Y. YOKOYAMA

History

The author purchased a five-acre parcel in Southeast Fresno in 1994 from a well-known African American farmer, built a home on the lot in 1997, and moved to Southeast Fresno from northern Clovis. The author and family have enjoyed the benefits of a Southeast Fresno rural life style by living in the Rural Residential zone for more than 30 years. The author's land is bordered on the south side by Fancher Creek Canal, and the author has been a conservationist in protecting the wildlife associated with the natural waterway. In 2001, the author objected to the proposed construction of a linear park on the Fanch Creek Canal ditch bank. In 2008, the original SEGA plan included the linear park. The SEGA plan then made an abrupt transition to the SEDA Plan in 2022. The issuance of the SEDA plan EIR was then announced in 2023 without adequate public warning to impacted property owners, and members of the public.

Comments on SEDA EIR:

A. Environmental Setting 3.4.2

Plants and Animals Have No Voice, and Are Heard Through Those Who Know They are There.

The EIR fails to identify the significant negative impact on biological resources in the SEDA specific plan. The EIR fails to identify the ecological damage caused by building a Neighborhood Town Center in the center of a SEDA block of Rural Residential zoned land bordered by E McKinley Ave on the north, N Fancher Ave on the east, E Tulare Ave on the south, and DeWolf Ave on the west. This block of land is now referred to as McKinley x Fancher x Tulare x DeWolf (MFTD), and the biological resources in this area have been documented by the author. The primary features of the MFTD include the natural waterway of Fancher Creek Canal, an established community of homes on small to medium acreage parcels, a horticultural nursery, and a golf course (Exhibits 1-1 and 2-2). The MFTD is only about a tenth of the land that comprises the urban growth area in the SEDA specific plan, and serves as an example of the detrimental effects of urban development on wildlife, species diversity, and environmental habitat. Under the SEDA specific plan, agricultural farmlands and rural residential areas will suffer from unrecoverable losses of biodiversity, and abundance of animal and plant life through habitat destruction. The SEDA plan EIR fails to identify future ecological decline in the region, loss of community, and quality of life.

- **1.** Disagree with Table ES-1: Executive Summary Matrix; Section 3.4 Biological Resources. No mitigation measures are proposed for Impact BIO-1, 2, 3, 4, and 5. MFTD includes legally protected and sensitive species of environmental concern, riparian habitat, wetlands, native resident species, and tree preservation measures.
- 2. Disagree with Exhibit 3.4-1. The Fancher Creek Canal lacustrine and riverine land cover types and vegetation communities are omitted in part in the MFTD. Exhibit 3.4-1 shows lacustrine, pasture, and private ponds on the southern border of the Neighborhood Town Center in the middle of the MFTD. The riverine habitat must be included from this location northeast to the eastern boundary of the SEDA.
- **3.** Disagree with Table 3.4-3. Rural and existing urban vegetation provides good habitat for special-status species such as the San Joaquin Kit fox (Cypher and Van Horn Job, 2012) and Monarch butterflies. Pasture provides food for wildlife herbivores including birds and rodents, and prey for carnivores including foxes and raptors. Rural and urban gardens provide habitat for Monarch butterflies (Cutting and Tallamy 2015), bees and other pollinators.
- **4.** Disagree with Table 3.4-5: Special-status Wildlife Species within the Plan Area, and disagree with two text boxes in Exhibit 3.4-2 that reiterate information in Table 3.4-5 and Appendix C. Additional special species with imperiled status known to in occur in MFTD from the California Natural Diversity Database (CNDDB) (2023) must be added to Table 3.4-5 as follows:

Fisher (Pekania pennanti) Comments – Observed 2013.

Bald eagle (*Haliaeetus leucocephalus*) Comments – Observed 2021 and a feature the ecological community (Snell Taylor et al. 2018).

Monarch (*Danaus plexippus plexippus*) Comments – Observed and Resident population (Davis 2021).

Cooper's hawk (Accipiter cooperii) Comments – Annual Nesting Pairs Observed.

Gilded flicker (Colaptes chrysoides) Comments – Annual Nesting Pairs Observed.

Western pond turtle (*Emys marmorata*) Comments – Observed egg laying near Fancher Creek Canal in the MFTD.

Great blue heron (*Ardea herodias*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Great egret (*Ardea alba*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Snowy egret (*Egretta thula*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

- **5.** Disagree with Exhibit 3.4-2. The distribution of the San Joaquin kit fox, *Vulpes macrotis mutica*, is shown in a red circle limited to Sanger. The northern distribution of the San Joaquin kit fox into the MFTD is not addressed in the EIR. Movement of San Joaquin kit foxes into rural and urban populations has helped prevent its extinction (Cypher and Van Horn Job, 2012).
- **6.** Disagree with Exhibit 3.4-2. Swainson's hawk, *Buteo swainsoni*, must be added inside the same red circle around the MFTD as the western yellow-billed cuckoo, *Coccyzus americanus occidentalis*. Nesting pairs of Swainson's hawks are found in the MFTD.
- 7. Disagree with Exhibit 3.4-2. The distribution of least Bell's vireo, *Vireo bellii pusillu*, would not be limited to the red circles around Tarpey Village, and Clovis, but would be found across the SEDA.
- **8.** Disagree with Wetlands and Waters of the U.S. and State. Fancher Creek Canal provides unlimited opportunities for both vegetation and wildlife and is not a limited resource as described. Fancher Creek Canal is a natural waterway originating from the Kings River, and is the dominant natural feature in MFTD.
- **a.** The EIR fails to identify that the SEDA is located near the Kings River. The EIR states that the plan is not located near the San Joaquin River.
- **b.** The EIR fails to identify the negative impact on the fish species that are found in the natural waterway of the Fancher Creek Canal (University California 2014) and the fact that some fish are California native species.
- **c.** The EIR fails to identify the negative impact of developed open space designated for a linear park on the Fancher Creek Canal Bank (Exhibit 3.11-1). The Fresno Irrigation District has stated opposition to using its canals as urban trails (Fresno Irrigation District 2020). Any disturbance or human activity on the Fancher Creek Canal bank will disrupt the fragile environmental habitat which now supports a diversity of animal and plant life including protected species.

- **9.** Disagree with Wildlife Movement Corridor statement that SEDA would not be expected to substantially degrade the existing conditions. The SEDA will substantially degrade existing conditions for native resident and migratory fish, wildlife species, wildlife corridors, and nursery sites in the MFTD. The natural stream bed of the Fancher Creek Canal flows with water throughout the year and is the habitat for fish including trout, ducks, frogs, toads, muskrats, weasels, and many aquatic insects including damselflies, dragonflies, and mayflies. The banks of Fancher Creek Canal are lined with established trees including native oaks that provide habitat for birds including raptors, mammals including foxes, racoons, rodents, amphibians, and reptiles including snakes and lizards.
- **a.** The EIR fails to identify the California Department of Fish and Game agreement with the Fresno Metropolitan Flood Control District in preservation and management of wildlife habitats along Fancher Creek (Fresno Metropolitan Flood Control District 2003).
- **b.** The EIR fails to identify the negative impact on birds in the SEDA (Fresno Audubon Society 2019) and those species associated with the Fancher Creek Canal habitat.
- **i.** Raptors found in the MFTD that are protected under the California Department of Fish and Game Code, Sections 3503, 3503.5, 3505 and 3513, and California Code of Regulation, Title 14, Sections 251.1, 652 and 783-786.6 are as follows:

Red-tailed hawk (Buteo jamaicensis) Comments – Annual Nesting Pairs Observed.

Great-horned owl (Bubo virginianus) Comments – Observed and Nesting Pairs Highly Likely.

Barn owl (*Tyto alba*) Comments – Observed and Nesting Pairs Highly Likely.

Turkey vulture (*Cathartes aura*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Red-Shouldered hawk (*Buteo lineatus*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

ii. Established populations of the California State Bird are found in the MFTD.

California quail (Callipepla Californica) Comments – Annual Nesting Pairs Observed.

iii. Species of birds found in the MFTD protected under the Migratory Bird Treaty Act (U. S. Fish and Wildlife Service 2023) include the following:

Wood duck (Aix sponsa) Comments – Annual Nesting Pairs Observed.

Mallard duck (*Anas platyrhynchos*) Comments – Annual Nesting Pairs Observed.

Swift sp. Comments – Annual Nesting Populations under Fancher Creek Canal bridges Observed.

Others species of protected birds observed include, but are not limited to the following:

Canada goose, Common merganser, Double crested cormorant, White tailed kite, Killdeer, California gull, Mourning dove, Bell's Vireo, Black phoebe, American pipet, many Warbler spp., White crowned sparrow, many Sparrow spp., Spotted towhee, Ruby-crowned Kinglet, Bushtit, Dark eyed junco, Brewer's blackbird, American Robin, Northern mockingbird, Woodpecker sp., Sapsucker sp., Magpie sp., Oak titmouse, Blue-gray gnat catcher, Western bluebird, House finch, Lesser goldfinch, Belted kingfisher, Black-headed grosbeak and more.

- c. The EIR fails to identify the negative impact on biodiversity in the SEDA. Small diversified farms in the MFTD grow specialty and vegetable crops, and raise farm animals including poultry, swine, sheep, cattle, and horses. Homes adjacent to Fancher Creek Canal have ponds (Exhibit 3.4-1) and others have extensive ornamental gardens. The rural residential area supports a diversity of plant species, some that are native to California and the US. Cultivated and natural vegetation includes established trees, shrubs, grasses, and flowers. The rural landscape supports a growing diversity of wildlife including mammals, marsupials, rodents, birds, reptiles, amphibians and insects.
- i. Pollinators. The EIR fails to identify the negative impact of removing pollinator habitat from areas in the SEDA that would contribute to an agricultural disaster in the region. Pollinators including hummingbirds, butterflies, bats, and bees are in decline in California (Chrobak 2022), across the U.S., and globally (Rhodes 2018). Plants in agricultural margins have the potential to greatly enhance habitat connectivity for pollinating insects (Wolterbeek 2023; Dilts et al. 2023) and prevent biodiversity collapse while providing natural pollination services. A variety of plant types found in gardens attract a diversity of bees (Frankie 2019). Gardens are larger in the rural residential areas of the MFTD compared to the city helping to support pollinator diversity and survival, and restore habitat for the Monarch butterfly (Cutting and Tallamy 2015).
- **ii.** Horticultural Nursery. The EIR fails to identify the negative impact of replacing a large horticultural plant nursery with a Neighborhood Town Center in the MFTD (Exhibits 1-1, 2-2, 3.11-1, and 5-1). The nursery is classified as unique farmland in the SEDA (Exhibit 3.2-1), conducive to the rural residential landscape, and supports biodiversity (Liquete et al. 2016).
- **iii.** Golf Course. The EIR fails to identify the environmental value of a golf course located in the southern area of the MFTD. Golf courses support biodiversity and provide ecosystem services (Petrosillo et al. 2019). The golf course in Exhibit 5-2, Farmland Conservation Alternative, is replaced by urban development.
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F. References

California Natural Diversity Database (CNDDB). July 2023. Special animals list. California Department of Fish and Wildlife. Sacramento, CA.

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Oak Woodlands Conservation Act. 2001. Assembly Bill No. 242. Department of Fish and Wildlife. Sacramento, CA.

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Snell Taylor, S. J., B. S. Evans, E. P. White and A. H. Hurlbert. 2018. The prevalence and impact of transient species in ecological communities. Ecology 99 (8): 1825-1835.

UC Oaks. 2022. Oak Woodland Policies of 41 California Counties – Fresno. Univ. Calif. Agricul. Nat. Res. Coop. Ext. Fall 2022.

U. S. Fish and Wildlife Service. 2023. Revised list of migratory birds protected by the Migratory Bird Treaty Act. Federal Register 88 (145): 49310-49355.

University of California. 2014. Fish species by location – 'Fancher Creek Canal – 180300090303'. California Fish Website, Feb. 26, 2014.

Wolterbeek, M. 2023. Connecting habitat in the Central Valley could help save California's pollinators. Nevada Today Science & Technology, Feb. 10, 2023.

COMMENTS ON THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FRESNO SOUTHEAST DEVELOPMENT AREA SPECIFIC PLAN PROJECT

CITY OF FRESNO, FRESNO COUNTY, CA State Clearinghouse Number 2022020486

AUGUST 27, 2023

Submitted by Email and USPS to

City of Fresno Jennifer Clark, Director Planning & Development Dept. 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721 Jennifer.Clark@fresno.gov

Submitted by

VICTORIA Y. YOKOYAMA

History

The author purchased a five-acre parcel in Southeast Fresno in 1994 from a well-known African American farmer, built a home on the lot in 1997, and moved to Southeast Fresno from northern Clovis. The author and family have enjoyed the benefits of a Southeast Fresno rural life style by living in the Rural Residential zone for more than 30 years. The author's land is bordered on the south side by Fancher Creek Canal, and the author has been a conservationist in protecting the wildlife associated with the natural waterway. In 2001, the author objected to the proposed construction of a linear park on the Fanch Creek Canal ditch bank. In 2008, the original SEGA plan included the linear park. The SEGA plan then made an abrupt transition to the SEDA Plan in 2022. The issuance of the SEDA plan EIR was then announced in 2023 without adequate public warning to impacted property owners, and members of the public.

Comments on SEDA EIR:

A. Environmental Setting 3.4.2

Plants and Animals Have No Voice, and Are Heard Through Those Who Know They are There.

The EIR fails to identify the significant negative impact on biological resources in the SEDA specific plan. The EIR fails to identify the ecological damage caused by building a Neighborhood Town Center in the center of a SEDA block of Rural Residential zoned land bordered by E McKinley Ave on the north, N Fancher Ave on the east, E Tulare Ave on the south, and DeWolf Ave on the west. This block of land is now referred to as McKinley x Fancher x Tulare x DeWolf (MFTD), and the biological resources in this area have been documented by the author. The primary features of the MFTD include the natural waterway of Fancher Creek Canal, an established community of homes on small to medium acreage parcels, a horticultural nursery, and a golf course (Exhibits 1-1 and 2-2). The MFTD is only about a tenth of the land that comprises the urban growth area in the SEDA specific plan, and serves as an example of the detrimental effects of urban development on wildlife, species diversity, and environmental habitat. Under the SEDA specific plan, agricultural farmlands and rural residential areas will suffer from unrecoverable losses of biodiversity, and abundance of animal and plant life through habitat destruction. The SEDA plan EIR fails to identify future ecological decline in the region, loss of community, and quality of life.

- **1.** Disagree with Table ES-1: Executive Summary Matrix; Section 3.4 Biological Resources. No mitigation measures are proposed for Impact BIO-1, 2, 3, 4, and 5. MFTD includes legally protected and sensitive species of environmental concern, riparian habitat, wetlands, native resident species, and tree preservation measures.
- 2. Disagree with Exhibit 3.4-1. The Fancher Creek Canal lacustrine and riverine land cover types and vegetation communities are omitted in part in the MFTD. Exhibit 3.4-1 shows lacustrine, pasture, and private ponds on the southern border of the Neighborhood Town Center in the middle of the MFTD. The riverine habitat must be included from this location northeast to the eastern boundary of the SEDA.
- **3.** Disagree with Table 3.4-3. Rural and existing urban vegetation provides good habitat for special-status species such as the San Joaquin Kit fox (Cypher and Van Horn Job, 2012) and Monarch butterflies. Pasture provides food for wildlife herbivores including birds and rodents, and prey for carnivores including foxes and raptors. Rural and urban gardens provide habitat for Monarch butterflies (Cutting and Tallamy 2015), bees and other pollinators.
- **4.** Disagree with Table 3.4-5: Special-status Wildlife Species within the Plan Area, and disagree with two text boxes in Exhibit 3.4-2 that reiterate information in Table 3.4-5 and Appendix C. Additional special species with imperiled status known to in occur in MFTD from the California Natural Diversity Database (CNDDB) (2023) must be added to Table 3.4-5 as follows:

Fisher (Pekania pennanti) Comments – Observed 2013.

Bald eagle (*Haliaeetus leucocephalus*) Comments – Observed 2021 and a feature the ecological community (Snell Taylor et al. 2018).

Monarch (*Danaus plexippus plexippus*) Comments – Observed and Resident population (Davis 2021).

Cooper's hawk (Accipiter cooperii) Comments – Annual Nesting Pairs Observed.

Gilded flicker (Colaptes chrysoides) Comments – Annual Nesting Pairs Observed.

Western pond turtle (*Emys marmorata*) Comments – Observed egg laying near Fancher Creek Canal in the MFTD.

Great blue heron (*Ardea herodias*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Great egret (*Ardea alba*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Snowy egret (*Egretta thula*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

- **5.** Disagree with Exhibit 3.4-2. The distribution of the San Joaquin kit fox, *Vulpes macrotis mutica*, is shown in a red circle limited to Sanger. The northern distribution of the San Joaquin kit fox into the MFTD is not addressed in the EIR. Movement of San Joaquin kit foxes into rural and urban populations has helped prevent its extinction (Cypher and Van Horn Job, 2012).
- **6.** Disagree with Exhibit 3.4-2. Swainson's hawk, *Buteo swainsoni*, must be added inside the same red circle around the MFTD as the western yellow-billed cuckoo, *Coccyzus americanus occidentalis*. Nesting pairs of Swainson's hawks are found in the MFTD.
- 7. Disagree with Exhibit 3.4-2. The distribution of least Bell's vireo, *Vireo bellii pusillu*, would not be limited to the red circles around Tarpey Village, and Clovis, but would be found across the SEDA.
- **8.** Disagree with Wetlands and Waters of the U.S. and State. Fancher Creek Canal provides unlimited opportunities for both vegetation and wildlife and is not a limited resource as described. Fancher Creek Canal is a natural waterway originating from the Kings River, and is the dominant natural feature in MFTD.
- **a.** The EIR fails to identify that the SEDA is located near the Kings River. The EIR states that the plan is not located near the San Joaquin River.
- **b.** The EIR fails to identify the negative impact on the fish species that are found in the natural waterway of the Fancher Creek Canal (University California 2014) and the fact that some fish are California native species.
- **c.** The EIR fails to identify the negative impact of developed open space designated for a linear park on the Fancher Creek Canal Bank (Exhibit 3.11-1). The Fresno Irrigation District has stated opposition to using its canals as urban trails (Fresno Irrigation District 2020). Any disturbance or human activity on the Fancher Creek Canal bank will disrupt the fragile environmental habitat which now supports a diversity of animal and plant life including protected species.

- **9.** Disagree with Wildlife Movement Corridor statement that SEDA would not be expected to substantially degrade the existing conditions. The SEDA will substantially degrade existing conditions for native resident and migratory fish, wildlife species, wildlife corridors, and nursery sites in the MFTD. The natural stream bed of the Fancher Creek Canal flows with water throughout the year and is the habitat for fish including trout, ducks, frogs, toads, muskrats, weasels, and many aquatic insects including damselflies, dragonflies, and mayflies. The banks of Fancher Creek Canal are lined with established trees including native oaks that provide habitat for birds including raptors, mammals including foxes, racoons, rodents, amphibians, and reptiles including snakes and lizards.
- **a.** The EIR fails to identify the California Department of Fish and Game agreement with the Fresno Metropolitan Flood Control District in preservation and management of wildlife habitats along Fancher Creek (Fresno Metropolitan Flood Control District 2003).
- **b.** The EIR fails to identify the negative impact on birds in the SEDA (Fresno Audubon Society 2019) and those species associated with the Fancher Creek Canal habitat.
- **i.** Raptors found in the MFTD that are protected under the California Department of Fish and Game Code, Sections 3503, 3503.5, 3505 and 3513, and California Code of Regulation, Title 14, Sections 251.1, 652 and 783-786.6 are as follows:

Red-tailed hawk (Buteo jamaicensis) Comments – Annual Nesting Pairs Observed.

Great-horned owl (Bubo virginianus) Comments – Observed and Nesting Pairs Highly Likely.

Barn owl (*Tyto alba*) Comments – Observed and Nesting Pairs Highly Likely.

Turkey vulture (*Cathartes aura*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Red-Shouldered hawk (*Buteo lineatus*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

ii. Established populations of the California State Bird are found in the MFTD.

California quail (Callipepla Californica) Comments – Annual Nesting Pairs Observed.

iii. Species of birds found in the MFTD protected under the Migratory Bird Treaty Act (U. S. Fish and Wildlife Service 2023) include the following:

Wood duck (Aix sponsa) Comments – Annual Nesting Pairs Observed.

Mallard duck (*Anas platyrhynchos*) Comments – Annual Nesting Pairs Observed.

Swift sp. Comments – Annual Nesting Populations under Fancher Creek Canal bridges Observed.

Others species of protected birds observed include, but are not limited to the following:

Canada goose, Common merganser, Double crested cormorant, White tailed kite, Killdeer, California gull, Mourning dove, Bell's Vireo, Black phoebe, American pipet, many Warbler spp., White crowned sparrow, many Sparrow spp., Spotted towhee, Ruby-crowned Kinglet, Bushtit, Dark eyed junco, Brewer's blackbird, American Robin, Northern mockingbird, Woodpecker sp., Sapsucker sp., Magpie sp., Oak titmouse, Blue-gray gnat catcher, Western bluebird, House finch, Lesser goldfinch, Belted kingfisher, Black-headed grosbeak and more.

- c. The EIR fails to identify the negative impact on biodiversity in the SEDA. Small diversified farms in the MFTD grow specialty and vegetable crops, and raise farm animals including poultry, swine, sheep, cattle, and horses. Homes adjacent to Fancher Creek Canal have ponds (Exhibit 3.4-1) and others have extensive ornamental gardens. The rural residential area supports a diversity of plant species, some that are native to California and the US. Cultivated and natural vegetation includes established trees, shrubs, grasses, and flowers. The rural landscape supports a growing diversity of wildlife including mammals, marsupials, rodents, birds, reptiles, amphibians and insects.
- i. Pollinators. The EIR fails to identify the negative impact of removing pollinator habitat from areas in the SEDA that would contribute to an agricultural disaster in the region. Pollinators including hummingbirds, butterflies, bats, and bees are in decline in California (Chrobak 2022), across the U.S., and globally (Rhodes 2018). Plants in agricultural margins have the potential to greatly enhance habitat connectivity for pollinating insects (Wolterbeek 2023; Dilts et al. 2023) and prevent biodiversity collapse while providing natural pollination services. A variety of plant types found in gardens attract a diversity of bees (Frankie 2019). Gardens are larger in the rural residential areas of the MFTD compared to the city helping to support pollinator diversity and survival, and restore habitat for the Monarch butterfly (Cutting and Tallamy 2015).
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Rhodes, C. J. 2018. Pollinator decline – an ecological calamity in the making? Science Progress 101 (2): 121-160.

Snell Taylor, S. J., B. S. Evans, E. P. White and A. H. Hurlbert. 2018. The prevalence and impact of transient species in ecological communities. Ecology 99 (8): 1825-1835.

UC Oaks. 2022. Oak Woodland Policies of 41 California Counties – Fresno. Univ. Calif. Agricul. Nat. Res. Coop. Ext. Fall 2022.

U. S. Fish and Wildlife Service. 2023. Revised list of migratory birds protected by the Migratory Bird Treaty Act. Federal Register 88 (145): 49310-49355.

University of California. 2014. Fish species by location – 'Fancher Creek Canal – 180300090303'. California Fish Website, Feb. 26, 2014.

Wolterbeek, M. 2023. Connecting habitat in the Central Valley could help save California's pollinators. Nevada Today Science & Technology, Feb. 10, 2023.



COMMENT

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For more information



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Please tell us your comments on the SEDA Draft EIR, and Specific Plan



COMMENT

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For more information Alla (559) 621-8339

Adrienne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

Site the studies done that

show how air quality will change
with reference to time

2) How will the influx of trucks impact the residents. Site data.

3) What information do you have that supports the project is consistent with state and local plans and policies?



Name:

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

i) How is this project consistent with Assembly Emissions
Bill 32's statewide goal of 29% reduction of emissions
from business as usual?

2) How frequently and for what length of time will the level of Particulate air pollution in the area surrounding the Project exceed the Threshold of Significance as outlined by CERA?



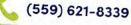
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

1) How will a potential cumulative expansion project affect pollutant concentrations?

Please site studies.

2) What were the studies that
showed the effects of energy
usage with respect to the
project's potential impacts on
air quality and GHG?

3) How does this project affect Global Warming? Site statistics



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Sec. 3.17 and Specific Plan

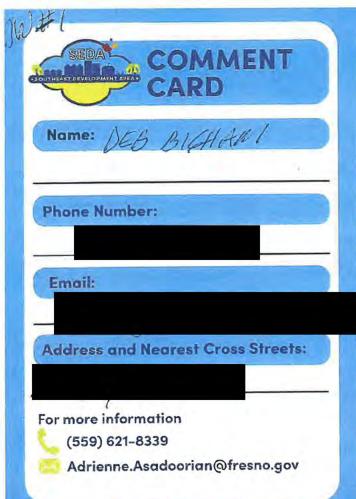
i) What is the data Concerning calculating the energy impacts of the project relating to vehicle trips?

2) In 2006 Governor Schwarzenegger promoted AB 32 to reduce GHG emissions to 1990 levels by the year 2020. Give data to support that this Project will comply with these standards.



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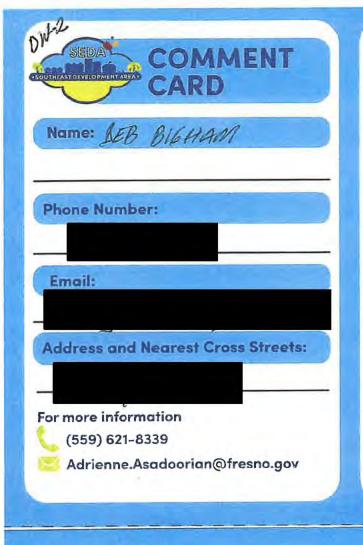
and Specific Plan
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the City of FRESNO and how would this project affect
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The level.



Please tell us your comments on the SEDA Draft EIR and Specific Plan
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Please tell us your comments on the SEDA Draft EIR and Specific Plan



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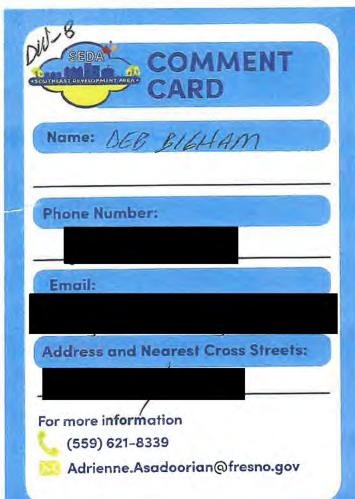
Adrienne.Asadoorian@fresno.gov

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Please tell us your comments on the SEDA Draft EIR

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For more information

(559) 621-8339

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WHITHEY POINT, P. 98 SERA SPECIFIC PLAN

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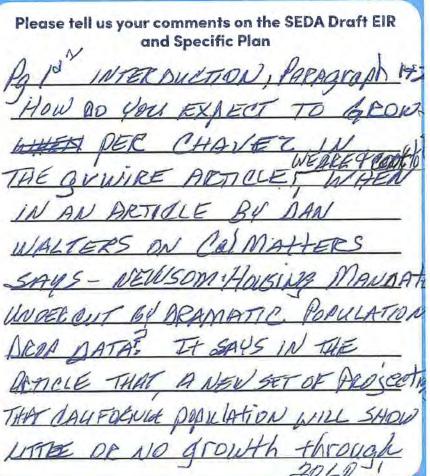
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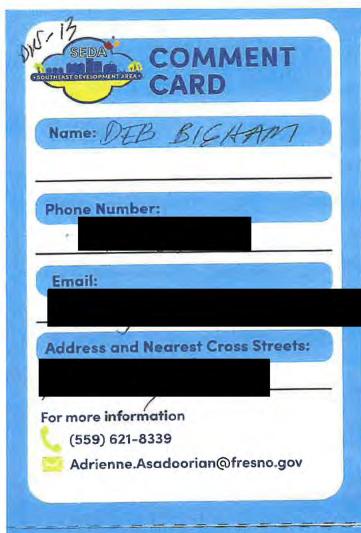
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Please tell us your comments on the SEDA Draft EIR







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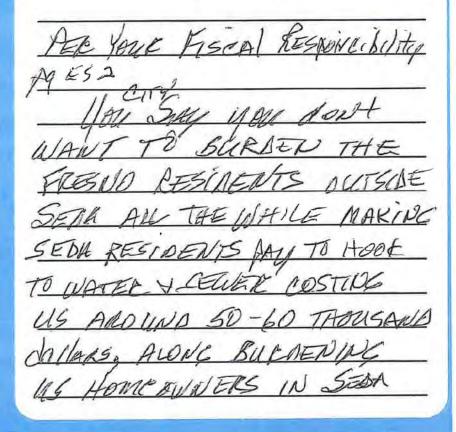
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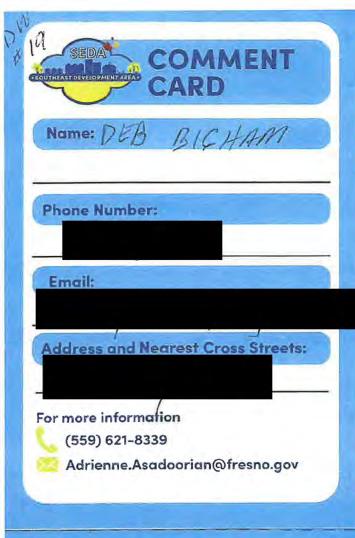
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Please tell us your comments on the SEDA Draft EIR



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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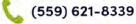


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For more information





Please tell us your comments on the SEDA Draft EIR and Specific Plan

presiding to Grenting Coulities, there on 8,700 acres of meant and understoped and within the city. With the copacity to hold over 134,000 housing Units this is sufficient to account forther nearly half of your projected population Gowth of 250,000 by 2010. Why with they area poors, the four for the Gorano and objection of JEDA in an effort to present and respect agriculture?

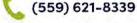


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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

A GUMin aroun hotel that "NEWSOM Howing mendate undunt by dramatic population dos data." Why is then so much prusen to Continu duelopment despite these declines. How many homes are attudy diveloped and minhabited? demographs how whent that in 2030 (1) will how have just 39.4 million ruidito - 3 million fewer than the panow projection - which would Manslate into about amillion fawer houphold) helding homes." 12 surport on additional 45000



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Please tell us your comments on the SEDA Draft EIR



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan Ourmining of theme their numberhands sate.



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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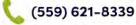


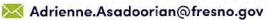
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Adrienne. Asadoorian @fresno.go	v

This Ele completely ignore Custom and tradition to appropriate love of the num lifestyle. As a city-dwello, I retreat to this area ofth for autistic Inspiration. The sight, smills and sounds of St Fresno encourage my inde expression in mittin prost, poetry, music and usual photography, the EIR Cherly identifies the usual and

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to relocate with their rural human counterpart

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Policy H(R-3 would supposedly "promote the integration of public art into historic buildings and established heighborhand "but hegues to foster the creation of art The land in SE Fresno 18 The ditt, my ink. shows that the pla will substantich degrade the visual chances ist the over and AES-4 would create" a new source of adus alto light or glave Which DOW of photography and the artistic output in

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。 (559) 621-8339 ☑ Adrienne.Asadoorian@fresno.gov

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Please tell us your comments on the SEDA Draft EIR and Specific Plan southers tresmo is prediministly compand Donnardy Cylanone People was would identify with a rural lifestyle This community of small formers & citizens with an appreciation for the outdoor, animals, gurdening and the natural world. forced to change their Such as AES-4 to SEDA Imputo which would " (make a new sound of substantial light or glare which would advirsaly affect or highlyton L the stars is a virual of our. the plan leur jurity the destruction of

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

AES-3 state, "the proposed project would, in non hybonized area, substantiell dignal the wisting Usual Chameter or quality of public News of the site and its summings." It would also after the existing Visual charact by increwing the In mosting of duelopment in area that are primarty agriculture. Foundhidul Whose literyles and whom are built upon the hatural world, this plan would force ora exodus by expelling all Who deput on natura he attrium life and discriminas thems

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For more information		
(559) 621-8339		
Adrienne Asadoorian	@fresno.gov	

Please tell us your comments on the SEDA Draft EIR and Specific Plan

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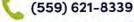


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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

The EIR objunio claim to "respec major conomic & cultral role of ay" The NOA Pictioning deline culture as arts and other manifestation of hamon whileful achievems vegaded collection," ma "the whom at social institution and achievement of a porticular group." As a write from the area, this plan disregards my own artistic endurors which depart on ag and natural land to create metaphorsthick life, growth and development by the human heard, mind and soul



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Our English word "Culture" comes from the latin cultura which tundamentally denote agricultural concepts like growth cultivation and tund". That is to say our said undestading of culture—to cultivate the growth of certain underprivilegel biological independing of what it means to cultivata the earth in the agricultural Sink: So the claim) in the E112 to "respect the cultival note or ag" this plan directly disrupt the cultural Custom, and motion and over religious desiration the an community by may of distraging



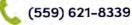
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Section 35.1 discriber the existing (ultural and tobal cultural Vesources suting and postnorial effects from project implementation on the Site and in symunding was. But it make he mention of the existing cultures that thrive on they soils and the extraction of the cultural practice of throning on they lands that the plan will unforce. A side by side Look at the ground land we mup and Exhibit 3.21, Important furnisme



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

this FIR aims to protect certain culture at the expense of other. The evenus or building on the top of saired soils and prime ag land show complete diregal for the ag community section 3-5-3 outlines an inventory of significent historial properties, but is limited by those lish a is the NRHP. It makes no mention of historical institution like 4-H & FAA and the chippers from the area, now the numbous and divine ethnic cultury that currently from the land in the proposed were and the (state that have been formed for generation)



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Under its social equity aim in its prince objective, the EIR state one of its objective is to "respect the major economic & cultural role or ag in the Custral Valley." But its repeated assertions that there will be " significant and unavoidable impact directly disterped and disrupts the kural culture that thrives In SE tresno the EIR Ignory the harm this plan will cause to cultural positics and likestyle of the rural furmer and resident. How will this be addressed?



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Exib. 3.4.1 Shows that there are 7,000 were of productive farmland In the SEDA area. The EIR Claims in its project objective to "respect ag land" How then, is this loss of productive Ay land to divelopment (2,475 of Which the EIR acknowledge as "prime funtara") justified? "Grun spaces" and "Community gardno won't suffice. The " significant and unavoidable" Impacts of wholey pring by line to nonagricultum un is far from respectful



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

The ecological disruption and this plan will enforce of the land, existing Community and literall of SE Trans (ulture will inevitably encourage contlict butwern new tenents to the SEDA developed aren and pre-existing rural ducters. What is the city's plan to properly handle complaints at regarding un increase of little, crime, vehicular disturbance, trespossing, exi! And how will they respond to complaints of residents adjacent to farms who won't appreciate the smalls, dust and practices Where How dow the specific plan address this?



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

At one of the city's "dwp-in" events their poster projected that a "Zoning wde updan" will occurrin au June of 2024 What waitly does the update entail! On what buil is this projection of Tune 2,524 made, considering the Claims from the city that reconing Whit occur before duclopment. DON the city anticipale duelopment And how is this consister with EIK Impact AG-2



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

Executive Summary states on Pg. ESS under Impact that " the continued implementation of the univer plan and proposed specific plan result in significant impact on existing Williamson Act Contract Land. result in the conversion of Williamson Act hon- an uses-" ES-13 Index Impact A.G.2 would not conflict for ag used or a Williamson page (kishing zoning Contract, Mich is it?



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Adrienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

Social equity dain or in Project Objective that the will "sutain the diversity of threshos population by prinding a variety or housing choices," is erroneous. The disign howing units, and structures aren's conducive to a rural litestyle. rural subculture planning the portions of ruray cultures in the SEPA Plan 1 EIR?



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan the area? How and who will intrastructure be introduced to feed the planned duripmon? What mill the cost be for said infinitimating And where will occur befor diviopers



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

City of Tresso dolsn't have a curning Compution Turnover for city neps mindset and continuity enough to on was given XUM finding for suchy this plan to

August 21, 2023

City of Fresno c/o Adrienne Asadoorian, Planner 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

Dear Ms. Asadoorian,

Regarding the Program Environmental Impact Report for the Fresno Southeast Development Area Specific Plan Project (State Clearninghouse Number 2022020486), I am writing to express my many great concerns.

I am fiercely opposed to this plan and find that the Program EIR is deeply flawed. Enclosed are my comments contesting various sections of the EIR, with reference to its corresponding fallacies and distortions therein.

I have also included additional sources of evidence to support my finings. I ask that First Carbon Solutions take these errs and discrepancies into consideration, and take note that the public is widely concerned by this top heavy report (and SEDA plan) which have no substantial foundations to support the following areas:

- A. The loss of productive agricultural land
- B. The demise of rural subculture and a blunt force blow to our future generations
- C. Lack of water, in particular type II
- D. Ethical disparity and lack of transparency
- E. Discrepancies within the EIR which conflict with the stated plan objectives
- F. Defective, incomplete and inadequate timeline for plan execution
- G. Lack of resources and infrastructure

The EIR does not account for these major areas of loss, deficiency and discrepancy. For these reasons, I have copied various city, county and LAFCO representatives to urge their objection and request their assistance in avoiding the dramatic ramifications of a faulty EIR and destructive plan.

Sincerely,

Leah Bigham Grateful product of a Southeast Fresno upbringing SEPO member



August 21, 2023

Jennifer Clark, Director, Planning and Development Department c/o Sophia Pagoulatos, Planning Manager 2600 Fresno Street Third Floor, Room 3065 Fresno, CA 93721

Dear Ms. Clark,

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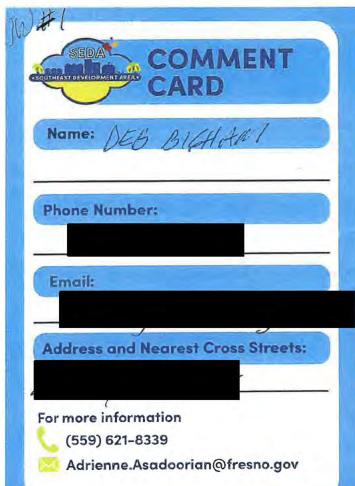
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Leah Bigham
Grateful product of a Southeast Fresno upbringing
SEPO member



Please tell us your comments on the SEDA Draft EIR and Specific Plan
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Adrienne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan
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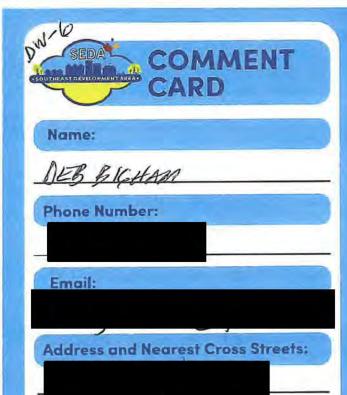


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Please tell us your comments on the SEDA Draft EIR and Specific Plan



Adrienne. Asadoorian @fresno.gov

For more information

(559) 621-8339

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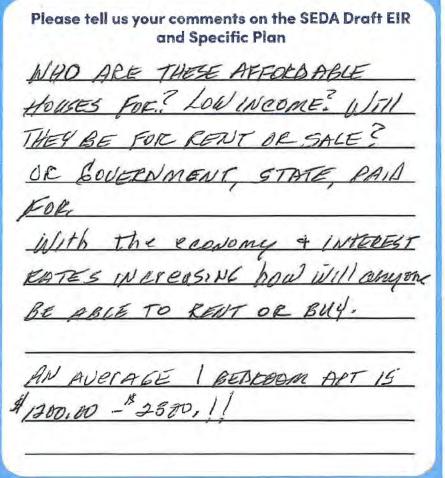
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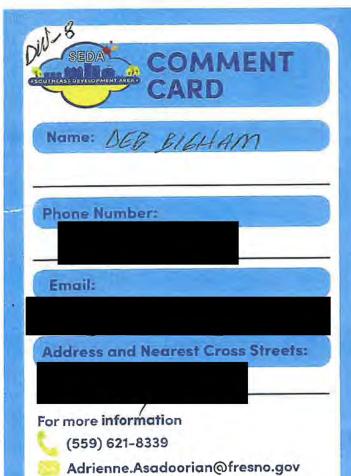
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Please tell us your comments on the SEDA Draft EIR







Please tell us your comments on the SEDA Draft EIR and Specific Plan
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan



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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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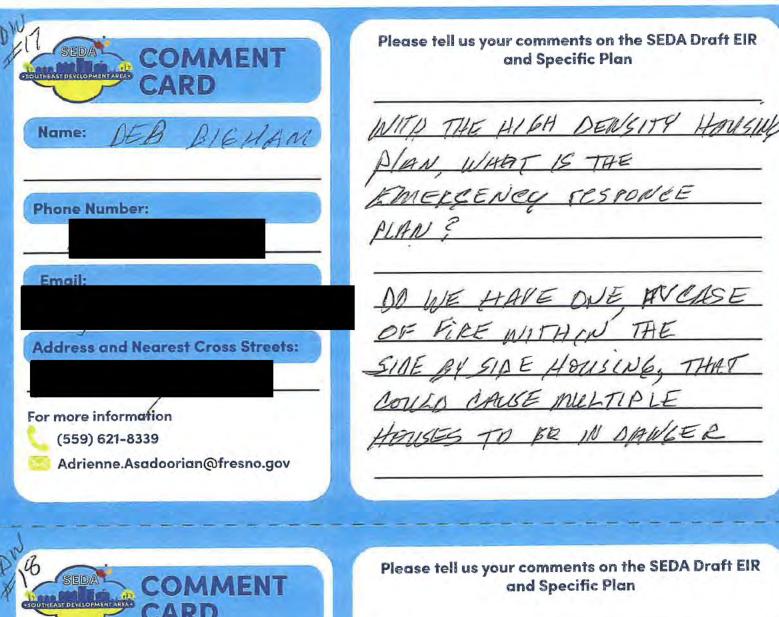
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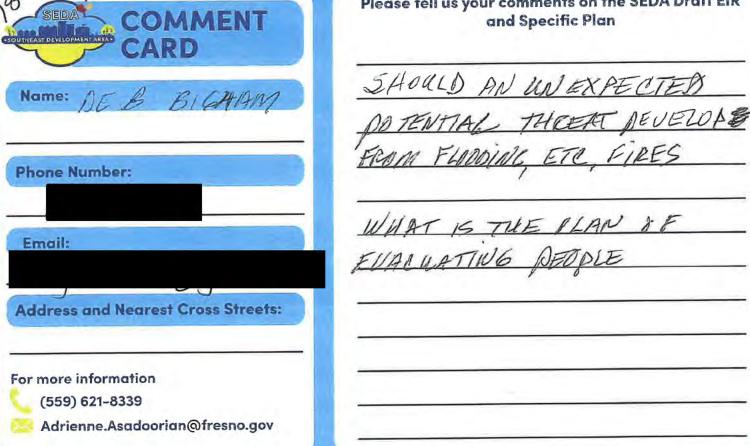
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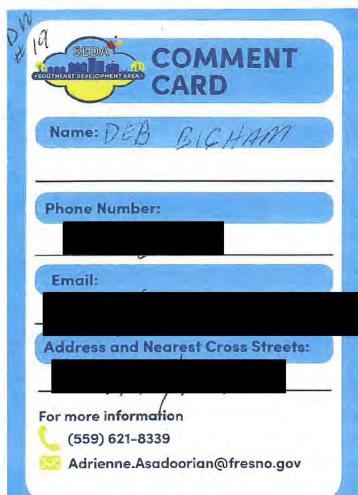
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Please tell us your comments on the SEDA Draft EIR

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Please tell us your comments on the SEDA Draft EIR and Specific Plan
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Comments on Draft SEDA Environmental Impact Report

3.2 - Agricultural Resources and Forestry Resources

Policy CF-3.1 Organic and Pesticide-Free Farming

Comments:

Pesticide Use and Regulation is regulated and monitored by the California Department of Pesticides Regulation. What authority does the City of Fresno have to restrict pesticide use?

Is the City of Fresno also going to restrict the use of pesticides in the home to being organic or pesticide-free? There are many products used in households for cleaning, insect control, etc. that fall under the umbrella of pesticides. An example being ant and roach spray used by homeowners. That product has an EPA registration number and are considered pesticides and are not organic. Is the City of Fresno going to restrict pesticides used in households?

Policy CF-4.4

Encouraging the long-term economic viability of Fresno County agriculture would not be removing 6,174 acres of farmland from production.

Fresno General Plan PEIR Mitigation Measures

MM AG-1.1

The Farmland Preservation Program has not been implemented by the City of Fresno as of the Draft SEDA EIR.

According to the City of Fresno website the City Council in 2017 initiated an amendment to Policy RC-9-c of the Fresno General Plan. This item is tentatively scheduled to be considered by the City Council on December 6 of this year.

The EIR is incomplete without this information of how the City of Fresno plans to implement the Farmland Preservation Program.

Article:

https://www.kvpr.org/government-politics/2015-04-09/fresno-city-council-says-no-to-farmland-preservation-project

KVPR reported on April 9, 2015 that Fresno City Council says "No" to Farmland Preservation Project.

The Fresno City Council rejected a proposal to move forward with an effort to preserve area farmland from development.

The council voted down the proposed grant application to start a farmland preservation program, which is key part of the city's newly adopted general plan.

The program would require developers to offset the loss of farmland from urbanization by agreeing to preserve farmland elsewhere.

It goes on to say, According to the American Farmland Trust, Fresno County has the smallest amount of farmland held under conservation easements in the valley, while the amount of farmland converted to development from 1990 to 2008 was among the highest.

Article:

https://sjvsun.com/news/fresno/brandau-pushing-brand-administration-for-fast-action-on-nixing-farmland-preservation-regs/

The link above is titled, Brandau pushing Brand administration for fast action on nixing farmland preservations regs.

The past history of the City Council has not been if favor of preserving farmland. Until the City Council actually adopts and approves a Farmland Preservation Plan the Draft EIR is not complete and shouldn't be approved.

How is the City Council going to address the preservation of farmland?

There needs to be an answer before the City of Fresno tries to annex 6,174 acres of farmland. If the developers are required to preserve a 1:1 ratio of farmland or preserve at an even higher ratio the costs of farmland preservation will dramatically increase the cost for the SEDA project.

Article:

lune 29th. 2022

https://farmland.org/new-report-smarter-land-use-planning-is-urgently-needed-to-safeguard-the-land-that-grows-our-food/

It is urgent we safeguard the land that grows our food.

Page 1E-2-9 of the Fresno Multi-Jurisdictional Housing Element, July 2023 states that Fresno has many vacant residential development opportunities along with underutilized non-vacant sites with redevelopment potential with sufficient capacity to meet and exceed the identified housing need for 2023-2031.

What is the justification for approving SEDA until the infill and utilizing the available land in the City of Fresno is completed first?

https://www.agalert.com/california-ag-news/archives/sept-7-2022/california-needs-housing-but-must-protect-its-farms/

Project Specific Mitigation Measures

MM AG-2

Prime Farmland, Unique Farmland, and Farmland of Statewide Importance Impact Reduction Measure.

The EIR states the Level of Significance After Mitigation is Significant and has unavoidable impact.

What mitigation measures are going to taken for the preservation of farmland?

Conflict with Existing Zoning or Williamson Act Contract Impact AG-2

The EIR states there is no feasible mitigation measures that are available for Williamson Act Contract land. The majority of land within the Plan Area that is under Williamson Act Contract would be designated for non-agricultural land uses (such as various types of residential, regional and community center land uses) with the implementation of the Specific Plan. That would conflict with land under Williamson Act Contracts. That would result in a significant and unavoidable impact.

How is the Specific Plan going to address this conflict? Until this is addressed the EIR is incomplete and should not be approved.

3.3 Air Quality

Air quality is a major concern in Fresno and the San Joaquin Valley.

According to the EIR, SEDA will have a detrimental effect on the air quality and there is not sufficient mitigation available to reduce the potential criteria pollutant emissions associated with the proposed project to levels that would not exceed the Valley Air District threshold of significance. Therefore, cumulative impacts to air quality would be considered to remain significant and unavoidable.

There are serious health and environmental consequences that are not being addressed. **How are these issues going to be mitigated?**

3.8 Greenhouse Gas Emissions

Per the Draft SEDA EIR, the proposed project would generate a significant net increase in GHG emissions and would have a "significant" GHG impact per the City of Fresno GHG Reduction Plan Update. As the proposed project would have a significant impact per the guidance included in the GHG Plan Update, the project has a potential significant level of cumulative significance.

There are no project specific mitigation measures available. The cumulative significance after mitigation is significant and unavoidable.

This project will add to greenhouse emissions that will have a significant level of cumulative significance.

With the focus on climate change, greenhouse gas emissions, and irreversible damage to the earth SEDA is actually contributing and not helping the problem.

Page 3 of 7

Any new project should be reducing the negative effects on the climate and environment not adding to the detrimental effects.

How is this going to be mitigated? This project should be abandoned until sufficient mitigation measures are developed and the EIR rejected until it addresses how to mitigate greenhouse emissions.

3.10 - Hydrology and Water Quality

We are currently in a difficult water situation. The implementation of SEDA would greatly stress an already strained situation. **How is SEDA complying with the Sustainable Groundwater Management Act?**

3.11 - Land Use and Planning

General Comment:

SEDA removes 6,741 acres of farmland from production. That is in direct opposition to many of the goals to promote and preserve agriculture as listed under the Fresno Southeast Development Area Specific Plan. **How is that promoting and supporting agriculture when SEDA removes 6,741 acres of farmland?**

Policy CF-3.1

Organic and Pesticide-Free Farming.

Promote ecologically sensitive farming methods that are safe for farm workers, consumers, and residents by restricting pesticide use and promoting integrated pest management practices within the SEDA.

Comment:

Pesticide Use and Regulation is regulated and monitored by the California Department of Pesticides Regulation. What authority does the City of Fresno have to restrict pesticide use?

Is the City of Fresno also going to restrict the use of pesticides in the home to being organic or pesticide-free? There are many products used in households for cleaning, insect control, etc. that fall under the umbrella of pesticides. An example being ant and roach spray used by homeowners. That product has an EPA registration number and are considered pesticides and

are not organic. Is the City of Fresno also going to restrict pesticides used in households?

3.14 Population and Housing

Page 1E-2-9 of the Fresno Multi-Jurisdictional Housing Element, July 2023 states that Fresno has many vacant residential development opportunities along with underutilized non-vacant sites with redevelopment potential with sufficient capacity

Page 4 of 7

to meet and exceed the identified housing need for 2023-2031. What is the plan for developing that land?

3.17 Transportation and Traffic

The California Department of Transportation requested peak hour ramp queue analysis be completed at the Highway 180 interchanges of Clovis Avenue, Fowler Avenue, Temperance Avenue, DeWolf, Highland and McCall Avenues. **Have those analysis been completed?** If so, they should be included in the EIR for comment.

4.1 Significant Unavoidable Impacts

Significant environmental effects of the proposed project, including effects that cannot be avoided if the proposed project were implemented.

The following are listed as significant unavoidable impacts.

Impact AES-3 (Project-level Visual Character):

No feasible mitigation measures are available to mitigate the impact to a less than significant level.

Impact AES-4 (Project-level Light and Glare):

This increase in illumination is considered a significant impact. Impacts would remain significant and unavoidable .

Cumulative Aesthetics, Lights, and Glare Impacts:

Impacts would remain significant and unavoidable.

Impact AG-1 (Project-level Conversion of Farmland to Nonagricultural Uses):

Loss of Prime Farmland would still occur with implementation of the proposed project. Therefore, this impact would be significant and unavoidable even with implementation of available mitigation.

Impact AG-2 (Project-level Conflict with Existing Zoning or Williamson Act Contract):

This impact would be significant and unavoidable without any available mitigation.

Cumulative Agricultural Resources and Forestry Resources Impacts:

No feasible mitigation measures are available. Therefore this impact would be significant and unavoidable

Impact AIR-1 (Project-level Consistency with Air Quality Management Plan):

Due to the magnitude and intensity of development accommodated by the proposed project, it would have a significant and unavoidable impact.

Impact AIR-2 (Project-level Cumulative Criteria Pollutant Emissions):

Implementation fo the proposed project would result in a significant impact because it would significantly contribute to the non attainment designation of the San Joaquin Valley Air basin (SJVAD). This impact would be significant and unavoidable.

AIR-3 (Project-level Sensitive Receptors Exposure to Pollutant Concentrations):

Without needed information it is not possible to conclude that air pollutant emissions resulting from construction activities would be adequately reduced to the point that sensitive receptors are not exposed to substantial concentrations of air pollutants, and thus a significant and unavoidable impact may result.

Cumulative Air Quality Impacts:

There is currently not enough information to quantify emissions of specific project development that may occur under the proposed project. Without quantification to guarantee a less than significant finding, future development projects may still exceed the Valley Air District regional significance thresholds. Additionally, due to the size of the proposed project, there is not sufficient mitigation available to reduce the potential criteria pollutant emissions associated with the proposed project to levels that would not exceed the Valley Air District thresholds of significance. Therefore, cumulative impacts to air quality would be considered to remain significant and unavoidable.

Impact GHG-1 (Project-level Greenhouse Gas Emissions):

The proposed project is not consistent with the GHG Plan Update, and the proposed project's contribution to environmental impacts related to GHG emissions are significant. There is no mitigation feasible to reduce the GHG emissions of the proposed project to less than significant levels. The GHG impacts of the proposed project are significant and unavoidable.

Cumulative Greenhouse Gas Emissions Impacts:

There are no feasible mitigation measures available. As such, cumulative impacts with regard to GHG emissions are significant and unavoidable.

Impact NOI-1 (Project-level Construction Noise):

Because these construction activities may occur near noise-sensitive receptors and because noise disturbances may occur for prolonged periods of time, construction noise impacts would remain significant and unavoidable.

Cumulative Construction Noice:

Because construction activities associated with implementation of the Specific Plan could then also occur simultaneously and because noise disturbances could occur for prolonged periods of time, there is the possibility for a cumulative construction noise impacts tat would remain significant and unavoidable.

These are significant and unavoidable impacts that have severe and irreversible consequences. They must be addressed and if not able to be mitigated the EIR and SEDA project should not be approved.



Name:

BOB JUNGMAN

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Email:

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For more information (559) 621-8339

X Adrienne. Asadoorian @fresno.gov

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Juliet Daty

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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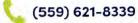
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Jaime Rodriguez Carrillo

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Email:

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Adrienne.Asadoorian@fresno.gov

Thov qhia rau peb txog koj tej lus xam pom rau rau SEDA Daim Qauv EIR tsim ua Qhov Kev Npaj Ua Tshwj Xeeb

in the county lived having the City Move in and take ownership of all the county property. This land is used as farm land. to Relocate Our be an expense on its own. I don't agree with the and they should Really Consider how many people & familys they are affecting



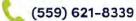
Ray C Stanton It

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Please tell us your comments on the SEDA Draft EIR and Specific Plan

area. Just the other day had on an overdock in morrisd with the center there



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KATTHY STANTON

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X Adrienne.Asadoorian@fresno.gov

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Kareen Boker

Phone Number:

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Marienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

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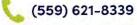
Marjory Beckman

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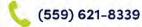
Dand + Natalie OA12

Número de teléfono:

Correo electrónico:

Dirección y calles transversales más cercanas:

Para más información



Marienne. Asadoorian @fresno.gov

Díganos sus comentarios sobre el Borrador del EIR y el Plan Específico de SEDA

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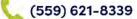
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Phone Number:

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Address and Nearest Cross Streets:

For more information





Please tell us your com	ments on the SEDA Draft EIF
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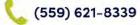
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For more information



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Places tell us your comments on the SEDA Draft FIR



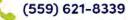
Chris Montross

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information



Adrienne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan
I live here to NOT be in the
city-
I don't water city water.
I don't want city sewage.
I don't want city gas.
I don't want city corruption
I don't want city crime.

CIEY

housing.

Noise

want



Juanita Jungman

Phone Number:

Email:

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For more information



Adrienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

Don't want to pay to hook L City water & sewer. Don't want to have more housing ground me . Consessed about crime & homeless comps moving in Don't us my animals & form



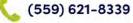
Brett Thompson

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information



X Adrienne. Asadoorian @fresno.gov

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COMMENT

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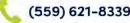
Mark Reitz

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information



Adrienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

Mank you to considering the Consdidited Business Park in Ch 5 of the EIR. It is superior to the proposed land USE plan per Table 5.6 in EIR in all catagories. I will support This Dan as Shown in Exhibit 5-1. Blease have mis plan at all fiture meetings to Show the public. The people I spoke with all support it over The proposed plan. This should be emphasized as no one is finding it in The 900 page EIR at The back. Thanks, Good job. Sophia.



Cherry Reitz

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Email:

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For more information

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Adrienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

I support the land use plan or the Consolidated Business lark not The Proposed Plan. roposed plan has Ked The California Ave alignment. This is not wanted The land owners in this aven & will definetly a roudblock to development



Cathy Gilles

Phone Number:

Email:

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For more information



🔀 Adrienne.Asadoorian@fresno.gov

After reading just a small
portion of the EIR, I'm
disappointed that its still
moving forward The
EIR is to advise whether
a project is appropriate =
I'm thinking there's enough
bad news in the EIR to
Stop this project from
modring ahead



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Adrienne.	Asadoorian@fresno.gov

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NORMAN WINSLOW

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information



Adrienne.Asadoorian@fresno.gov

I DO NOT SEE ANY POSITIVE
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I DO SEE HIGHER CRIME,
HIGHER CROWNING, LESS PRIVACY
HIGER TAXES , LOSS OF
CONTROL OF MY PRODUCTY.
My FAMILY HEAS OWNED DOR
PRODERTY FOR 80 YEARS.
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Jones & Cor



COMMENT

Name:

Andrea Wise

Phone Number:

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MARIE POTTER

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For more information



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Please tell u		ments o ecific F	SEDA	Draft EIR
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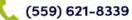
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Email:

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For more information



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Please tell us your comments on the SEDA Draft EIR and Specific Plan
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5. Why are you taking our homes.
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paying for our properties?



COMMENT

Name:

Gary & Mardys Hofer

Phone Number:

Email:

Address and Negrest Cross Streets:

For more intormation

(559) 621-8339

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Adrienne.Asadoorian@fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

We are concerned and he annexation of our property to the city of Fresno - water concerns and cost for hooking up to the Farmland will be lost many people acres that are su to annexation?



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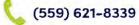
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For more information





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Name:		i n
Audrey	Mon	lel

Phone Number:

Email:

Address and Nearest Cross Streets:

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For more information





Please tell us your comments on the SEDA Draft EIR and Specific Plan
- I am concerned about the
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to continuo to have horses.
- I am concerned about the
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area with this plan
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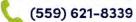
Andrea Montross

Phone Number:

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Address and Nearest Cross Streets:

For more information



X Adrienne. Asadoorian @fresno.gov

Please te	ll us y		ts on the SEDA Draft EIF
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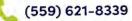
Carol Bloeser

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information





Please tell us your comments on th	e SEDA Draft Ell
and Specific Plan	

what is the loss based on a money amount? Do you realize once the land is lost it can never be retrieved?						me i	_
Do you realize once the land is lost it can							
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Carol Bloesser

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Please tell us your comments on the SEDA Draft EIR



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Carol Bloessen

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Please tell us your comments on the SEDA Draft Ell
and Specific Plan

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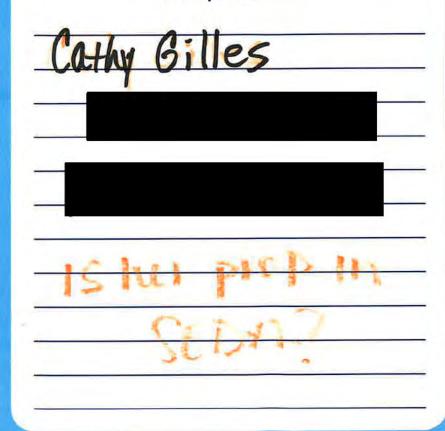
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Chris Montross

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Rosa Hanco

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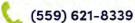
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Please tell us your comments on the SEDA Draft EIR and Specific Plan

There is no mitigation for the add'C pollution this plan will cause, per the report. This includes air, water, noise, etc.

Directly from the EIR, there is NO applicant identified. WHO 15 THE APPLICANT?!

The EIR does not address the impact on native plant?
wild life. Another environmenta disaster.



COMMENT

Name:

Henry Salazar

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information





Please tell us your comments on the SEDA Draft EIR and Specific Plan

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Robert Bethel

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Email:

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For more information



X Adrienne. Asadoorian @fresno.gov

Please tell us your comments on the SEDA Draft EIR and Specific Plan

What will be done to mitigate Noise and air Quality along Deach Ave Betweens North of Jewsen and south of Kings 15 there a Canyon Road concrete new housing paramount. There are caracidos



COMMENT	Pleas <u>Con</u>
Name:	Reac
Greg Vitucci	air
Phone Number:	/
Email:	
Address and Nearest Cross Streets:	
	-
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and Specific Plan
Congering the Park on Church and
Reach. Concerns - Ivayic, Nosies Pultin
Conserve the Park on Church and Reach. Concerns traffic, Nosies Pultion,
