FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

WEST AREA NEIGHBORHOODS SPECIFIC PLAN

(SCH # 2019069117)

JUNE 2022

Prepared for:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

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FINAL EIR

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INTRODUCTION

The City of Fresno (City) determined that a program-level environmental impact report (EIR) was required for the proposed West Area Neighborhoods Specific Plan (Specific Plan) pursuant to the requirements of the California Environmental Quality Act (CEQA).

The program-level analysis considers the broad environmental effects of the proposed Project as a whole.

This EIR examines the planning, construction and operation of the Project. The program-level approach, with some project-level analysis, is appropriate for the proposed Project because it allows comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

PROJECT DESCRIPTION

The following provides a brief summary and overview of the Project. Chapter 2.0 of this EIR includes a detailed description of the Project, including maps and graphics. The reader is referred to Chapter 2.0 for a more complete and thorough description of the components of the Project.

The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan", "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth.

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. See Table 2.0-1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 2.0-6 for the proposed General Plan land use designations.

The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would pre-zone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would no longer apply to the parcel.

The Specific Plan land use plan that was recommended by the Steering Committee would allow for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category), and 60,621,006 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. In the northern portion of the Plan Area, Fire Station No. 18 is temporarily located off of West Bullard Avenue at 5938 North La Ventana Avenue. Fire Station 18 will be relocated to a permanent location on the south side of the 6000 block of West Shaw Avenue to maximize the department's response time goal. Additionally, the proposed land use plan would allow for approximately 248 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

Refer to Chapter 2.0, Project Description, for a more complete description of the details of the proposed Specific Plan.

ALTERNATIVES TO THE PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the Specific Plan. The alternatives analyzed in this EIR include the following four alternatives in addition to the Specific Plan:

- No Project (Existing General Plan) Alternative;
- Additional Annexation Alternative;
- Regional Park Alternative;
- Lower Density Alternative.

A comparative analysis of the Project and each of the Project alternatives is provided in Table ES-1. As shown in Table ES-1, the Lower Density Alternative is the environmentally superior alternative because it results in the least adverse environmental impacts when compared to the proposed project. The Lower Density Alternative would decrease or slightly decrease impacts to 13 of the 15 environmental issues. This is mostly due to the preservation of the existing farmland and rural residential areas along the southern and western boundaries of the Plan Area, and the decrease in development associated with the reduced densities. It is noted that none of the project alternatives would fully eliminate any of the significant and unavoidable impacts that would occur under the proposed Specific Plan; however, the significant and unavoidable impacts that would result under the proposed Specific Plan would occur to a lesser extent under the Lower Density

Alternative. The Regional Park Alternative is the next best alternative as it would decrease or slightly decrease impacts to five of the 15 environmental issues.

COMMENTS RECEIVED

The Draft EIR addressed environmental impacts associated with the Project that are known to the City, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases and climate change, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation and circulation, and utilities.

During the NOP process, several comments were received related to the analysis that should be included in the Draft EIR. These comments are included as Appendix A of the Draft EIR, and were considered during preparation of the Draft EIR.

The City received nine comment letters regarding the Draft EIR from public agencies and other parties. These comment letters on the Draft EIR are identified in Table 2.0-1 of this Final EIR. The comments received during the Draft EIR review processes are addressed within this Final EIR.

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This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Fresno (City) is the lead agency for the environmental review of the West Area Neighborhoods Specific Plan (Specific Plan) and has the principal responsibility for approving the Project. This Final EIR assesses the expected environmental impacts resulting from approval of the Project and associated impacts from subsequent development and operation of the Project, as well as responds to comments received on the Draft Environmental Impact Report (Draft EIR).

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This Final EIR for the Project has been prepared in accordance with the State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a Final EIR consist of the following:

- the Draft EIR or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the Project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval, construction, and operation of the Project. Responsible and trustee agencies that may use the EIR are identified in Chapters 1.0 and 2.0 of the Draft EIR.

The environmental review process enables interested parties to evaluate the Project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the Project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead

agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all aspects of construction and operation of the Project. The details and operational characteristics of the Project are identified in Chapter 2.0, Project Description, of the Draft EIR (February 2022).

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION AND INITIAL STUDY

The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 28, 2019 to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 24, 2019 at 6:00 p.m., at the Glacier Point Middle School Cafeteria in Fresno to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City published a public Notice of Availability (NOA) for the Draft EIR on February 10, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2019069117) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from February 10, 2022 through March 28, 2022.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City received nine comment letters regarding the Draft EIR from public agencies. These comment letters on the Draft EIR are identified in Table 2.0-1, and are found in Chapter 2.0 of this Final EIR.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR, as required by CEQA. This Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Revisions. This document, as well as the Draft EIR as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Fresno Planning Commission and City Council will review and consider the Final EIR. If the City Council finds that the Final EIR is "adequate and complete," the Council may certify the Final EIR in accordance with CEQA and City environmental review procedures and codes. The rule of adequacy generally holds that an EIR can be certified if:

1) The EIR shows a good faith effort at full disclosure of environmental information; and

2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project which intelligently take account of environmental consequences.

Upon review and consideration of the Final EIR, the City Council may take action to approve, revise, or reject the Project. A decision to approve the Project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during Project implementation, in a manner that is consistent with the EIR.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written and electronic comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 – REVISIONS

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments received on the Draft EIR.

CHAPTER 4.0 – FINAL MMRP

Chapter 4.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft EIR for the West Area Neighborhoods Specific Plan (Specific Plan), were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or add "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

CEQA Guidelines Section 15088.5 states that: *New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.*

Sections 2.0 and 3.0 of this Final EIR include information that has been added to the EIR since the close of the public review period in the form of responses to comments and revisions.

2.2 LIST OF COMMENTERS

Table 2.0-1 lists the comments on the Draft EIR that were submitted to the City of Fresno (City) during the 45-day public review period for the Draft EIR. The assigned comment letter or number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, etc.).

TABLE 2.0-1 LIST OF COMMENTERS ON DRAFT EIR

RESPONSE LETTER	*INDIVIDUAL OR SIGNATORY*	*AFFILIATION*	*DATE*
A	Gavin McCreary	California Department of Toxic Substances Control	3-28-22
B	David Padilla	California Department of Transportation	3-18-22
C	Carolina Ilic	City of Fresno, Fresno Area Express	3-28-22
D	Mario Reeves	County of Fresno, Department of Agriculture & Weights and Measures	2-23-22
E	Dave Randall	County of Fresno, Department of Public Works and Planning	3-21-22
F	Daniel Brannick	Resident of Fresno	3-28-22
G	Laurence Kimura	Fresno Irrigation District	3-28-22
H	Denise Wade	Fresno Metropolitan Flood Control District	3-30-22
I	Brian Clements	San Joaquin Valley Air Pollution Control District	3-24-22

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response

must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the West Area Neighborhoods Specific Plan Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered or numbered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

Jared Blumenfeld
Secretary for
Environmental Protection

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

March 28, 2022

Ms. Casey Lauderdale
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, California 93721
Casey.Lauderdale@Fresno.gov

DRAFT ENVIRONMENTAL IMPACT REPORT FOR WEST AREA NEIGHBORHOODS SPECIFIC PLAN – DATED FEBRUARY 2022 (STATE CLEARINGHOUSE NUMBER 2019069117)

Dear Ms. Lauderdale:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for the West Area Neighborhoods Specific Plan (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site. A-1

Additionally, the EIR lists three DTSC sites within Section 3.8, Hazards and Hazardous Materials, that include West Shields Elementary School, Golden State Ranch Property, and Parc West Development. The West Shields Elementary School and Golden State Ranch Property are DTSC school sites with statuses of No Further Action and No Action Required, respectively. After performing a review, DTSC believes that the Parc West Development is not a DTSC site, but a Project for which DTSC provided comments on the associated EIR in a letter dated August 12, 2020. DTSC believes that the Parc West Development was erroneously listed in place of the Westlake Proposed 430 Acre Development (Westlake), which is discussed further into the Hazards and Hazardous Materials section of the Project's EIR. A-2

Westlake is a DTSC Site with a terminated Voluntary Cleanup Agreement (VCA) and remains a potential concern. "Phase 1 Environmental Site Assessment Update, A-3

Proposed Westlake Village, Shields, Grantland, & Garfield Avenues, Fresno, California 93723," (Phase 1) prepared by Krazan & Associates, Inc., and dated December 13, 2011, listed site development issues that included an approximately 10,000-gallon diesel fuel aboveground storage tank (AST), a liquid fertilizer AST, and two empty fertilizer ASTs. DTSC recommends that any parties interested in developing the Westlake property enter a VCA with DTSC in order to assure that any contaminants of potential concern are addressed.

A-3 cont'd

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR:

1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

A-4

2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.

A-5

3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*.

A-6

4. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material*. A-7

5. Any sites included as part of the proposed project that have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*. A-8

DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website. A-9

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Response to Letter A: California Department of Toxic Substances Control

Response A-1: This comment summarizes why the California Department of Toxic Substances Control's (DTSC's) was notified about the proposed West Area Neighborhoods Specific Plan by the Lead Agency. This comment serves as an introduction to the comment letter. No further response is necessary.

Response A-2: This commenter summarizes the three DTSC sites discussed in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR. The commenter also states the following: "After performing a review, DTSC believes that the Parc West Development is not a DTSC site, but a Project for which DTSC provided comments on the associated EIR in a letter dated August 12, 2020. DTSC believes that the Parc West Development was erroneously listed in place of the Westlake Proposed 430 Acre Development (Westlake), which is discussed further into the Hazards and Hazardous Materials section of the Project's EIR."

As discussed on page 3.8-5 of Section 3.8, Hazards and Hazardous Materials, the Parc West Development site is located at the intersection of Shields, Grantland, Garfield, and Gettysburg avenues. The cleanup status is currently inactive. Past uses that caused contamination included agricultural – orchard and agricultural – row crop uses. Potential contaminants of concern are under investigation, and the potential materials affected are soils. The Parc West Development site was previously known as the Westlake Proposed 430 Acre Development (Westlake). A Draft EIR was completed for the Parc West Development Project in June 2020.[1]

For consistency and as a result of this comment, references to this site that appear Section 3.8 the Draft EIR have been revised to reference the current name (Parc West Development site) and the original name shown in Envirostor (Westlake Proposed 430 Acre Development). See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

The following changes were made to pages 3.8-4 and 3.8-5 of Section 3.8 of the Draft EIR:

> The California Department of Toxic Substances Control (DTSC) maintains the *Envirostor Data Management System*, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. There are ~~four~~ three sites listed in the database within the Plan Area:
>
> - West Shields Elementary School: This site is located at 4108 Shields Avenue, and is a part of the DTSC – Site Cleanup Program. The cleanup status is active as of 1/4/2017. A Phase 1 assessment was completed on this site on January 4, 2017. Past uses that caused contamination are not specified. The Potential materials (e.g. soil, water, etc.) affected were also not specified.

[1] See: https://www.fresno.gov/darm/wp-content/uploads/sites/10/2020/06/ParcWestPublicReviewDraftEIR63020.pdf

- Golden State Ranch Property: This site is located at Ashlan Avenue and Grantland Avenue, and the DTSC is the oversight agency for this site. The cleanup status is active as of 2/27/2002. Past uses that caused contamination include agricultural – row crops. No contaminants were found at this site.

- Parc West Development (previously known as the Westlake Proposed 430 Acre Development): This site is located at the intersection of Shields, Grantland, Garfield, and Gettysburg avenues. The cleanup status is currently inactive. Past uses that caused contamination included agricultural – orchard and agricultural – row crop uses. Potential contaminants of concern are under investigation, and the potential materials affected are soils.

The following changes ~~was~~ were made to pages 3.8-7 of Section 3.8 of the Draft EIR:

TABLE 3.8-2: GEOTRACKER KNOWN HAZARDOUS MATERIAL RELEASE SITES WITHIN THE PLAN AREA

SITE NAME	*TYPE*	*STATUS*	*ADDRESS*
7-Eleven #24180	LUST Cleanup Site	Completed	4246 West Ashlan Avenue
AT&T California – SBR29	Permitted UST	--	4309 North Polk Avenue
Chevron #9-9093	LUST Cleanup Site	Completed	3996 Parkway Drive North
Di Redo Dry Yard	LUST Cleanup Site	Completed	6150 Shaw Avenue West
EZ Trip	LUST Cleanup Site	Completed	6639 Parkway Drive North
Former Sieberts' Oil Company	LUST Cleanup Site	Completed	2837 North Parkway Drive
Fresno Gas & Liquor	Permitted UST	--	3110 West Shields Avenue
Golden State Ranch Property	School Investigation	No Action Required	Ashlan Avenue/Grantland Avenue
Johnny Quik #175	Permitted UST	--	4395 West Ashlan Avenue
Jura Farms, Inc.	LUST Cleanup Site	Completed	5545 Dakota West
Moore Truck Lines	LUST Cleanup Site	Completed	3693 Parkway North
Parkway Mini-Mart	Permitted UST	--	
Proposed Constance-Sierra Elementary School	School Investigation	No Further Action	Northeast Corner of Constance and Sierra Avenues
Quick 'N' E-Z #19	Permitted UST	--	
Siebert's Oil Company	LUST Cleanup Site	Completed	2837 Parkway Drive North
Shop N Go, #607	Permitted UST	--	4245 West Ashlan
Sugahara Farm	LUST Cleanup Site	Completed	4108 Shields Avenue West
Vallee Food Store	LUST Cleanup Site	Completed	2414 Marks North
Parc West Development (previously known as the Westlake Proposed 430 Acre Development)	Voluntary Cleanup	Inactive	Bounded by Shields, Grantland, Garfield, and Gettysburg
West Shields Elementary School	School Investigation	Active	4108 Shields Avenue

SOURCE: STATE WATER RESOURCES CONTROL BOARD GEOTRACKER (2019).

NOTE: -- = NOT SPECIFIED WITHIN THE GEOTRACKER DATABASE.

The following change was made to pages 3.8-8 of Section 3.8 of the Draft EIR:

> The Inactive **Parc West Development (previously known as the Westlake Proposed 430 Acre Development)** site is a voluntary (inactive) cleanup site. The DTSC is the lead agency for the site. A Preliminary Endangerment Assessment was planned for this former agricultural property. The site is proposed as a Planned Residential Community. The DTSC

had a Voluntary Cleanup Agreement with the applicant for the Planned Residential Community. Potential media affected includes soils. Potential contaminants of concern are under investigation. Should the site be developed in the future, future cleanup activities would be required prior to development on this site, as applicable.

The following change was made to pages 3.8-22 of Section 3.8 of the Draft EIR:

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting, there is a historical record of soil contamination at the Proposed Constance-Sierra Elementary School site, the Parc West Development (previously known as the Westlake Proposed 430 Acre Development), and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations. Implementation of the Specific Plan could involve the transport, use, or disposal of hazardous materials associated with future construction and/or remediation activities. The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment associated with construction activities within the Plan area to a ***less than significant*** level.

Response A-3: This commenter summarizes the Westlake Proposed 430 Acre Development site location and notes that a Phase 1 prepared for the site listed site development issues that included an approximately 10,000-gallon diesel fuel aboveground storage tank (AST), a liquid fertilizer AST, and two empty fertilizer ASTs. Additionally, the commenter recommends

that any parties interested in developing the Westlake property enter a VCA with DTSC in order to assure that any contaminants of potential concern are addressed.

As noted in Response A-2, the Parc West Development site was previously known as the Westlake Proposed 430 Acre Development (Westlake). A Draft EIR was completed for the Parc West Development Project in June 2020. The Draft EIR for the Parc West Development Project includes Mitigation Measures HAZ-1 through HAZ-3 which address potential hazardous materials impacts. Additionally, Section 3.8 of the Draft EIR for the proposed West Area Neighborhoods Specific Plan includes Mitigation Measures 3.8-1 through 3.8-10 which address potential hazardous materials impacts. Any parties interested in developing the Westlake property will enter a VCA with DTSC in order to assure that any contaminants of potential concern are addressed.

Response A-4: This commenter states that the EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. The commenter also states that, in instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The commenter concludes by stating that the EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

Impacts associated with the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are discussed on pages 3.8-21 through 3.8-26. As discussed, construction activities would occur in phases through the implementation of the Specific Plan. Construction equipment and materials would likely require the use of petroleum-based products (oil, gasoline, diesel fuel), and a variety of chemicals including paints, cleaners, and solvents. The use of these materials at a construction site will pose a reasonable risk of release into the environment if not properly handled, stored, and transported. Additionally, properties within the Plan Area may have residual soil (and potentially groundwater) contamination that may require remediation. Also, potentially hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.) could be encountered during demolition of existing structures to accommodate new development. Further, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations. Lastly, with respect to operations, facilities that store, use or handle hazardous materials above reportable amounts are required to prepare and file a Hazardous Materials Business Plan (Business Plan) for the safe storage and use of chemicals.

The Draft EIR includes Mitigation Measure 3.8-1 thorough 3.8-10 to address these potential impacts:

Mitigation Measure 3.8-1*: Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or their subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).*

Mitigation Measure 3.8-2*: Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Fresno County Environmental Health Department, and properly abandon the on-site wells, pursuant to review and approval of the City Engineer and the Fresno County Environmental Health Department.*

Mitigation Measure 3.8-3*: Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.*

Mitigation Measure 3.8-4*: In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.*

The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

Mitigation Measure 3.8-5*: In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment.*

Mitigation Measure 3.8-6*: If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.*

Mitigation Measure 3.8-7*: Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.*

Mitigation Measure 3.8-8*: For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP.*

Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos and lead based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM) and/or LBP. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).*

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties

(or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials.

***Mitigation Measure 3.8-10**: Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*

Response A-5: This commenter states that aerially deposited lead (ADL)-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.

As discussed in Response A-4, impacts associated with the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are discussed on pages 3.8-21 through 3.8-26. As discussed, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP).

Soil sampling will occur, if warranted by the Phase I ESA. The two most pertinent Draft EIR mitigation measures regarding this comment are included below:

***Mitigation Measure 3.8-3**: Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.*

***Mitigation Measure 3.8-4**: In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.*

The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

Response A-6: This commenter states that if buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Mitigation Measure 3.8-9 on pages 3.8-25 and 3.8-26 requires surveys for lead-based paints and/or asbestos containing materials. This measure has been revised to address this comment by adding lead-based products, mercury, and polychlorinated biphenyl caulk. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos, ~~and~~ lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), ~~and/or~~ LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).*

Response A-7: This commenter states that if any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination.

Section 3.8 of the Draft EIR includes the following mitigation measure, which requires that imported soil be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the DTSC or the Fresno County Environmental Health Division (FCEHD) requirements.

Mitigation Measure 3.8-10*: Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*

Response A-8: This commenter states any sites included as part of the proposed project that have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR.

As discussed on page 3.8-22 of Section 3.8, "Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. […]

The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment associated with construction activities within the Plan area to a less than significant level."

The relevant Mitigation Measures which pertain to proper investigation for organochlorinated pesticides are included below:

> ***Mitigation Measure 3.8-3****: Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property*

under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.

***Mitigation Measure 3.8-4**: In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.*

The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

***Mitigation Measure 3.8-5**: In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment.*

***Mitigation Measure 3.8-6**: If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.*

***Mitigation Measure 3.8-7**: Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk*

to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.

***Mitigation Measure 3.8-10**: Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*

Response A-9: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-1041 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

March 18, 2022

FRE-99
West Area Neighborhoods Specific Plan, Draft EIR
https://ld-ior-gis.dot.ca.gov/district/6/report/23472

SENT VIA EMAIL

Casey Lauderdale, Planner
City of Fresno Long Range Planning Division
casey.lauderdale@fresno.gov

Dear Mx. Lauderdale,

Thank you for the opportunity to review the draft Environmental Impact Report (EIR) for the West Area Neighborhoods Specific Plan. The Plan encompasses approximately 7,077 acres in the City of Fresno city limits and unincorporated Fresno County. The Plan includes future development of up to 54,953 dwelling units and 60,621,006 square feet of non-residential uses. The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan area includes the southwest portion of Highway City adjacent to State Route (SR) 99. B-1

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

1. Caltrans anticipates the implementation of this Specific Plan in itself may not substantially increase transportation impacts to the State Highway System. However, subsequent individual developments may be found to have this type of impact. B-2

2. Individual developments should address the potential traffic safety impacts to the State Highway System. If project generated trips cause substantial speed differentials between off-ramp queues and the (SR) 99 freeway mainline, mitigation may be needed to address the safety impact. If project generated trips cause queuing to exceed intersection turn lane storage lengths, mitigation may be needed to address the safety impact. B-3

3. Traffic safety mitigation may include the addition of turn lanes, lengthening the turn lane lengths, adding additional turning lanes for storage capacity, and intersection control modifications to accommodate turning movements. B-4

4. 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 also be considered. B-5

5. 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. B-6

6. 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. B-7

7. 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. B-8

8. 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. B-9

9. 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. B-10

10. Early engagement with Caltrans is highly requested for future projects that would impact state right-of-way. B-11

If you have any other questions, please call or email Edgar Hernandez at (559) 981-7436 or edgar.hernandez@dot.ca.gov. B-12

Sincerely,

David Padilla, Branch Chief
Transportation Planning – North

Response to Letter B: California Department of Transportation

Response B-1: The commenter correctly summarizes the location of the Plan Area, and the development potential that could result from buildout of the Plan.

This comment serves as an introduction to the comment letter. See Responses B-2 through B-11.

Response B-2: The commenter states the following: "Caltrans anticipates the implementation of this Specific Plan in itself may not substantially increase transportation impacts to the State Highway System. However, subsequent individual developments may be found to have this type of impact."

This comment is acknowledged by the City. Impacts related to transportation are included in Section 3.14, Transportation and Circulation, of the Draft EIR. All impacts were determined to be less-than-significant or less-than-significant with mitigation. It is also noted that subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared, including documentation regarding potential transportation impacts to the State Highway System.

Response B-3: The commenter states the following: "Individual developments should address the potential traffic safety impacts to the State Highway System. If project generated trips cause substantial speed differentials between off-ramp queues and the (SR) 99 freeway mainline, mitigation may be needed to address the safety impact. If project generated trips cause queuing to exceed intersection turn lane storage lengths, mitigation may be needed to address the safety impact."

This comment is acknowledged by the City. As noted in Response B-2, impacts were determined to be less-than-significant or less-than-significant with mitigation. It is also noted that subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared, including documentation regarding potential transportation impacts to the State Highway System, including safety.

Response B-4: The commenter states the following: "Traffic safety mitigation may include the addition of turn lanes, lengthening the turn lane lengths, adding additional turning lanes for storage capacity, and intersection control modifications to accommodate turning movements."

This comment is acknowledged by the City. See Response B-3.

Response B-5: The commenter states the following: "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 also be considered."

This comment is acknowledged by the City. See Response B-3. As noted in Impact 3.14-1 in Section 3.14, development associated with the proposed Plan would increase the amount of multimodal transportation activity which would require the improvement and expansion of the local transportation network in the Plan Area to serve the associated travel demand. The Specific Plan has a strong emphasis on Complete Neighborhoods, which is a tool to achieve environmental justice. Section 5.4 of the Specific Plan includes a series of maps which show a reasonable walkshed from existing and planned schools; bus stops; commercial uses; and existing and planned parks. Further, the Specific Plan includes Policy IPR 1.12, which states: "IPR 1.12 Improve multimodal transportation access across Highway 99 by a) completing the Veterans Boulevard interchange project and the underpass at West Gettysburg Avenue, b) consider updating the ATP and General Plan to include potential future multimodal crossings (such as an extension of Cornelia Avenue either across Highway 99 or from Shaw to the future undercrossing at Gettysburg Avenue), and c) update Golden State Avenue in the ATP and General Plan to have enhanced bike facilities."

Overall, implementation of the Specific Plan would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities

Response B-6: The commenter states the following: "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."

This comment is acknowledged by the City. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared. This future examination would include, as determined necessary by the City, a VMT analysis. It is also noted that the City of Fresno is working on a VMT Mitigation Program.

Response B-7: The commenter states the following: "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."

While this comment does not specifically pertain to CEQA or the EIR for the West Area Neighborhoods Specific Plan, this comment is acknowledged by the City.

Response B-8: The commenter states the following: "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."

While this comment does not specifically pertain to CEQA or the EIR for the West Area Neighborhoods Specific Plan, this comment is acknowledged by the City.

As noted on page 3.7-27 of Section 3.7, Greenhouse Gases, Climate Change and Energy, the City's General Plan includes the following policies pertaining to EVs:

> **Policy RC-4-k:** Electric Charging. Develop standards to facilitate electric charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes widespread.
>
> **Policy RC-8-j:** Alternative Fuel Network. Support the development of a network of integrated charging and alternate fuel station for both public and private vehicles, and if feasible, open up municipal stations to the public as part of network development.

It is also noted that the City's GHG Plan Update provides a description of General Plan policies that support a reduction in GHGs from all sources within the City's ability to control or influence. These strategies enhance the effectiveness of State strategies by ensuring that the city is developed in ways that minimize emissions. In order to reach the long-term reduction targets, the City would also need to implement local reduction measures. These measures encourage VMT reductions through mixed use and infill development, transportation demand management, development and penetration of EVs, energy efficiency enhancement and conservation, water conservation, and increased waste diversion and recycling strategies. Public education and outreach would play a crucial role in educating stakeholders about the importance of implementing these measures.

Analysis of GHG emissions and potential climate change impacts for new development is required under CEQA. The GHG Plan Update provides strategies and guidelines for the reduction of GHG emissions in accordance with CEQA Guidelines Section 15183.5. A GHG Reduction Plan Consistency Checklist (Checklist) is presented in the Plan to provide a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. Individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared, including documentation regarding VMT reductions.

Response B-9: The commenter states the following: "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."

A multimodal transportation system would be provided in conjunction with future development of the Plan Area. The West Area Neighborhoods Specific Plan seeks to

provide for the orderly and consistent development that promotes and establishes the Plan Area as a complete neighborhood with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and development of a diverse housing stock. The Plan Area does not currently have needed commercial amenities, causing residents to travel east of State Route 99 for retail services. The Plan Area also lacks a complete roadway network and parkland.

Response B-10: The commenter states the following: "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."

While this comment does not specifically pertain to CEQA or the EIR for the West Area Neighborhoods Specific Plan, this comment is acknowledged by the City.

Response B-11: The commenter states the following: "Early engagement with Caltrans is highly requested for future projects that would impact state right-of-way."

This comment is acknowledged by the City. Future development projects in the Plan Area would be reviewed by the City of Fresno, particularly those which have the potential to impact State right-of-way. As noted on page 3.14-19 of Section 3.14, Transportation and Circulation, of the Draft EIR, the future roadway improvements that would result with implementation of the Specific Plan would be subject to review and future consideration by the City of Fresno. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would be made in accordance with the City's Circulation Plan, roadway functional design guidelines, and would have to meet design guidelines such as the accessibility requirements of Title 24 (California Building Code), ADA standards, California Manual of Uniform Traffic Control Devices (MUTCD), and the Caltrans Roadway Design Manual.

Response B-12: This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

ecarroll@denovoplanning.com

From: Carolina Ilic <Carolina.Ilic@fresno.gov>
Sent: Monday, March 28, 2022 3:00 PM
To: Casey Lauderdale
Cc: Jeff Long
Subject: Comments on WANSP Draft EIR

Hi Casey – We've read through the draft EIR for the West Area Neighborhoods Specific Plan and have only a few minor, non-substantive comments/corrections, as shown below. Thanks for the opportunity to review. C-1

On page 3.14-5 C-2

- Replace "two" with "three"
- Remove text about new service in 2021
- Replace "Clinton" with "Shields"

1

Fresno Area Express (FAX)

FAX provides the principal bus service in the City of Fresno. It operates eighteen fixed routes with a fleet of over 100 buses, and Handy Ride, its paratransit operation, with a fleet of over 50 vehicles. The paratransit service, FAX Handy Ride, is a service designed to meet the transportation needs of eligible persons with disabilities who cannot functionally use the FAX fixed-route bus system. Handy Ride is a shared ride, curb-to-curb service, provided from any origin to any destination throughout the service area for any trip purpose. Handy Ride operates during the same hours and days as the FAX fixed-route bus system. The service area boundaries for the FAX Handy Ride service are generally Copper Avenue to the north, east to Willow Avenue, south to Ashlan Avenue, east to Temperance Avenue, south to Central Avenue, west to Polk Avenue, north to the Fresno County line, and east to Copper Avenue.

FAX operates two routes that directly serve the Plan Area through curbside bus stops, ~~with additional service coming into the Plan Area in 2021~~. Bus service on these routes is detailed in Table 3.14-1 with the routes near the Plan Area shown in Figure 3.14-3.

TABLE 3.14-1: BUS ROUTES SERVING THE PLAN AREA

ROUTE	SERVING	DAY	TIMES		FREQUENCY
12-35	Starting at Shaw and Brawley and serving Forestiere Underground Gardens, Teague Elementary School, Inspiration Park, Central High School East, Tower District, DMV, Roeding Park, Yosemite Middle School, and Social Security Office	Weekday	6:00 AM	10:00 PM	Every 30 minutes
		Weekend	7:00 AM	7:30 PM	Every 30 minutes
39	Starting at Brawley Avenue/Shields Ave. and serving Hamilton K-8, Fresno High, Fresno City College, VA Medical Center, McLane High, Alliant University, and Fresno Yosemite International Air Terminal primarily along Clinton Ave.	Weekday	5:30 AM	10:00 PM	Every 30 minutes
		Weekend	7:30 AM	7:00 PM	Every 30 minutes
45	Along Ashlan Avenue serving Central High School East, Cooper Middle School, Blackbeard's Family Entertainment, Army Navy Reserve, and ARC Fresno Production Center	Weekday	5:45 AM	9:30 PM	Every 45 minutes
		Weekend	6:30 AM	6:30 PM	Every 45 minutes

SOURCE: FAX WEBSITE, WWW.FRESNO.GOV/FAX, ACCESSED MARCH 11, 2021, KITTELSON & ASSOCIATES, INC., 2021.

Route 12 provides local commuter and weekend service with the route originating or terminating at Shields Avenue/Brawley Avenue and San Jose Avenue/Marty Avenue intersections. Between these two origin/destinations, the route has fixed stops as it runs mostly along Brawley Avenue and Cornelia in the Plan Area, from ~~Clinton~~ Avenue to Shaw Avenue. Key destinations served include Central High School, Inspiration Park, and Forestriere Underground Gardens.

On page 3.14-6,

- Replace "served" with "service"
- After "and Clinton Avenues," add "as well as Marks and Olive Avenues"
- After Alliant University, add "the Fresno Yosemite International Airport."

C-3

3.14 TRANSPORTATION AND CIRCULATION

Route 35 provides local commuter and weekend served with the route originating or terminating in the Plan Area at Shields Avenue/Brawley Avenue and on the east side of Fresno at the intersection of Belmont Avenue/Clovis Avenue. In the Plan Area, the route provides fixed stops along Brawley and Clinton Avenues. Key destinations served by the route include the DMV, Talking Book Library, Post Office, and the Social Security Office.

Route 39 provides local commuter and weekend service with the route originating or terminating at Brawley Avenue/Shields Avenue intersection and Fresno Yosemite International Air Terminal. Between these two origin/destinations, Route 39 runs in a loop from Clinton Avenue/Marks Avenue to Brawley Avenue/Shields Avenue in the Plan Area where it has fixed stops. Key destinations served include Fresno High School, Fresno City College, Veteran's Medical Center, and Alliant University.

On Figure 3.14-3, change the dark blue route in the legend to be Route 20. (Route 12 is listed twice) C-4

3

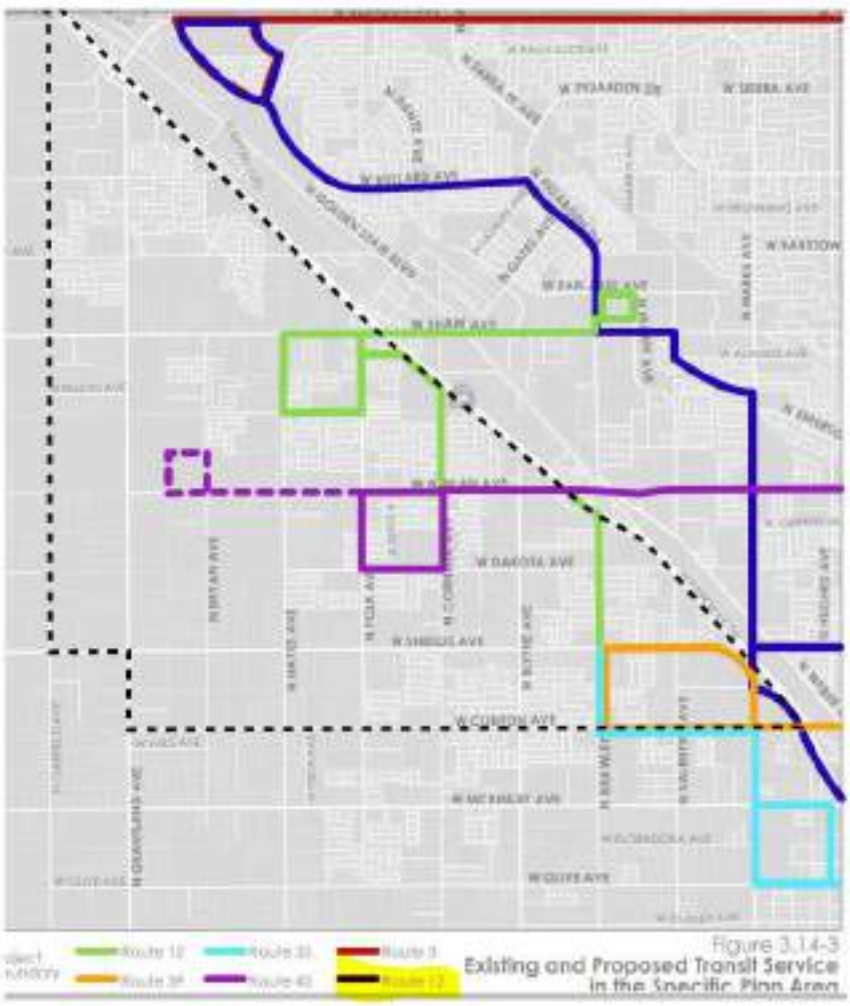

Figure 3.14-3
Existing and Proposed Transit Service in the Specific Plan Area

Carolina Ilic, AICP
Planning Manager
Department of Transportation
Phone 559.621.1499
Email carolina.Ilic@fresno.gov
2223 G Street
Fresno, CA 93706
www.fresno.gov/transportation

Serving our community through safe, sustainable, and reliable transportation

Response to Letter C: City of Fresno, Fresno Area Express

Response C-1: The commenter states the following: "We've read through the draft EIR for the West Area Neighborhoods Specific Plan and have only a few minor, non-substantive comments/corrections, as shown below. Thanks for the opportunity to review."

This comment serves as an introduction to the comment letter. See Responses C-2 through C-4.

Response C-2: The commenter lists three minor, non-substantive comments/corrections to page 3.14-5. These revisions have been made to Section 3.14 of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> FAX operates ~~two~~ three routes that directly serve the Plan Area through curbside bus stops~~, with additional service coming into the Plan Area in 2021~~. Bus service on these routes is detailed in Table 3.14-1 with the routes near the Plan Area shown in Figure 3.14-3.

TABLE 3.14-1: BUS ROUTES SERVING THE PLAN AREA

ROUTE	*SERVING*	*DAY*	*TIMES*		*FREQUENCY*
12-35	Starting at Shaw and Brawley and serving Forestiere Underground Gardens, Teague Elementary School, Inspiration Park, Central High School East, Tower District, DMV, Roeding Park, Yosemite Middle School, and Social Security Office	Week-day	6:00 AM	10:00 PM	Every 30 minutes
		Week-end	7:00 AM	7:30 PM	Every 30 minutes
39	Starting at Brawley Avenue/Shields Ave. and serving Hamilton K-8, Fresno High, Fresno City College, VA Medical Center, McLane High, Alliant University, and Fresno Yosemite International Air Terminal primarily along Clinton Ave.	Week-day	5:30 AM	10:00 PM	Every 30 minutes
		Week-end	7:30 AM	7:00 PM	Every 30 minutes
45	Along Ashlan Avenue serving Central High School East, Cooper Middle School, Blackbeard's Family Entertainment, Army Navy Reserve, and ARC Fresno Production Center	Week-day	5:45 AM	9:30 PM	Every 45 minutes
		Week-end	6:30 AM	6:30 PM	Every 45 minutes

SOURCE: FAX WEBSITE, WWW.FRESNO.GOV/FAX, ACCESSED MARCH 11, 2021, KITTELSON & ASSOCIATES, INC., 2021.

> Route 12 provides local commuter and weekend service with the route originating or terminating at Shields Avenue/Brawley Avenue and San Jose Avenue/Marty Avenue intersections. Between these two origin/destinations, the route has fixed stops as it runs mostly along Brawley Avenue and Cornelia in the Plan Area, from ~~Clinton~~ Shields Avenue to Shaw Avenue. Key destinations served include Central High School, Inspiration Park, and Forest~~r~~iere Underground Gardens.

Response C-3: The commenter lists three minor, non-substantive comments/corrections to page 3.14-6. These revisions have been made to Section 3.14 of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> Route 35 provides local commuter and weekend ~~served~~ service with the route originating or terminating in the Plan Area at Shields Avenue/Brawley Avenue and on the east side of Fresno at the intersection of Belmont Avenue/Clovis Avenue. In the Plan Area, the route provides fixed stops along Brawley and Clinton Avenues, as well as Marks and Olive Avenues. Key destinations served by the route include the DMV, Talking Book Library, Post Office, and the Social Security Office.

Route 39 provides local commuter and weekend service with the route originating or terminating at Brawley Avenue/Shields Avenue intersection and Fresno Yosemite International Air Terminal. Between these two origin/destinations, Route 39 runs in a loop from Clinton Avenue/Marks Avenue to Brawley Avenue/Shields Avenue in the Plan Area where it has fixed stops. Key destinations served include Fresno High School, Fresno City College, Veteran's Medical Center, ~~and~~ Alliant University, and the Fresno Yosemite International Airport.

Response C-4: The commenter provides one minor, non-substantive comment/correction to Figure 3.14-3. This revision has been made to Section 3.14 of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision; the final version of this revised figure is reproduced below:

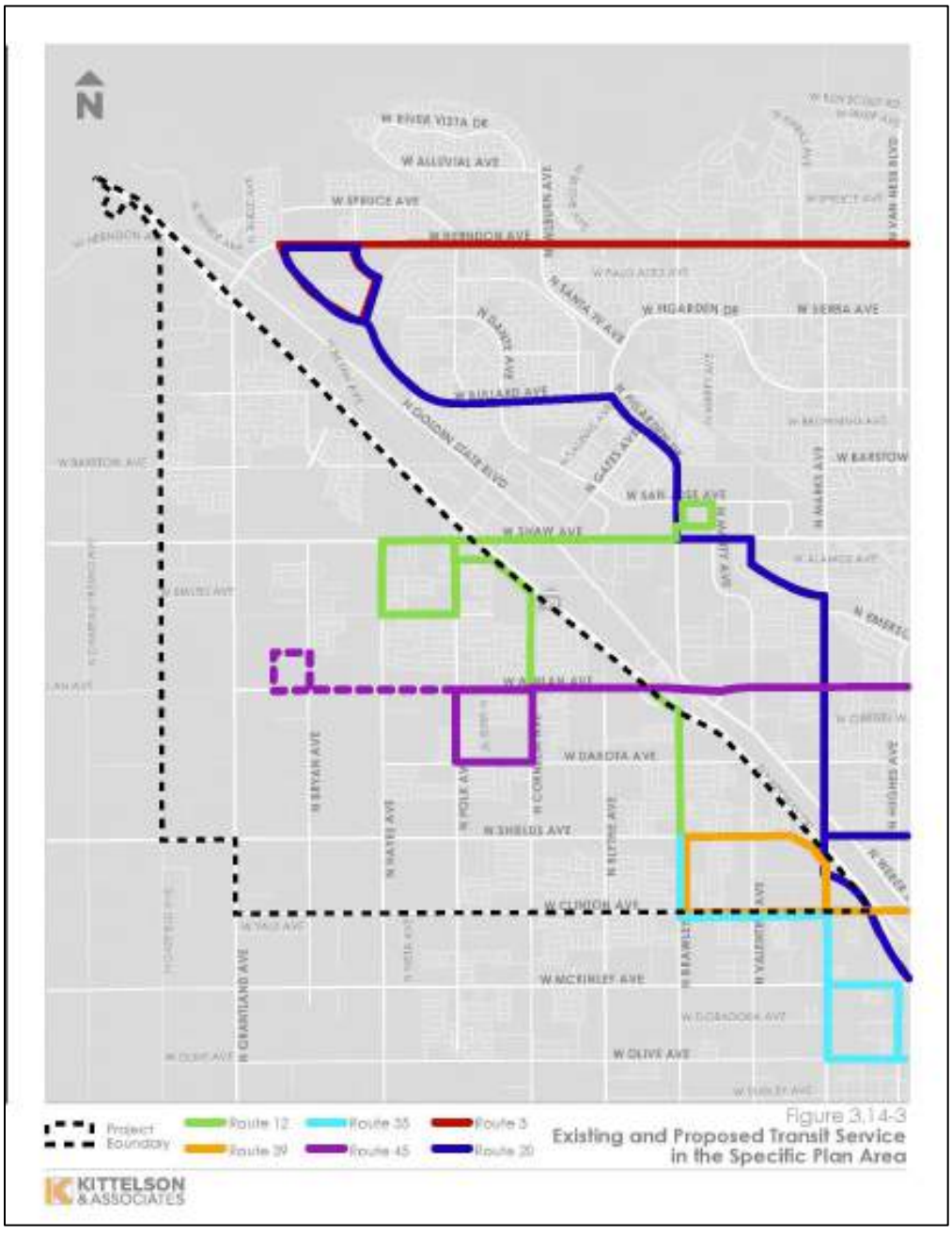

Figure 3.14-3
Existing and Proposed Transit Service in the Specific Plan Area

ecarroll@denovoplanning.com

From: Reeves, Mario S. <MReeves@fresnocountyca.gov>
Sent: Wednesday, February 23, 2022 2:13 PM
To: Casey Lauderdale
Subject: West Area Neighborhoods Specific Plan

External Email: Use caution with links and attachments

Comments from the Fresno County Department Agriculture: February 23, 2022

Project Title: West Area Neighborhoods Specific Plan

Along the boundary of Garfield Ave, Shields Ave, Grantland Ave, and Clinton Ave, and within the boundaries of the plan, there are properties which are existing agricultural operations. There is always the concern that normal agricultural practices may affect residents, schools, commercial sites or business employees. Tractor activity will create noise and dust, while crops will have scheduled pesticide treatments. Both must be taken in to account by the City of Fresno. There should be no medium to high density housing along the stated border or adjacent to agricultural operations within the boundaries.

The City of Fresno should acknowledge the Fresno County "Right-to-Farm" ordinance 17.04.100 and 17.72.075.

The Fresno County "Right to Farm" ordinance 17.04.100 and 17.72.075 shall be presented to the applicant so that any necessary mitigation measures can be considered by any developer, resident, commercial site, or facility to minimize any potential discomfort or risk. D-1

Fresno County Right-to-Farm Notice: "It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniencies and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years."

Mario Reeves | Assistant Agricultural Commissioner/Sealer
County of Fresno, Department of Agriculture & Weights and Measures
Direct: (559) 600-1904 Main Office: (559) 600-7510
www.co.fresno.ca.us/departments/agricultural-commissioner
Twitter: @Fresno_AgDept
"Courage is being scared to death but saddling up anyway"
-John Wayne

1

Response to Letter D: County of Fresno, Department of Agriculture & Weights and Measures

Response D-1: The commenter states the following: "Along the boundary of Garfield Ave, Shields Ave, Grantland Ave, and Clinton Ave, and within the boundaries of the plan, there are properties which are existing agricultural operations. There is always the concern that normal agricultural practices may affect residents, schools, commercial sites or business employees. Tractor activity will create noise and dust, while crops will have scheduled pesticide treatments. Both must be taken in to account by the City of Fresno. There should be no medium to high density housing along the stated border or adjacent to agricultural operations within the boundaries." The commenter also states that the City should acknowledge the County Right to Farm ordinance (Sections 17.04.100 and 17.72.075).

The commenter summarizes the Right to Farm ordinance, and further states the following: "The Fresno County "Right to Farm" ordinance 17.04.100 and 17.72.075 shall be presented to the applicant so that any necessary mitigation measures can be considered by any developer, resident, commercial site, or facility to minimize any potential discomfort or risk.

Fresno County Right-to-Farm Notice: 'It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniencies and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.'"

This comment is noted. The County's Right to Farm Ordinance is discussed on page 3.2-13 of Section 3.2, Agricultural Resources, of the Draft EIR. As discussed, Fresno County's Right to Farm Ordinance is intended to reduce the occurrence of such conflicts between nonagricultural and agricultural land uses between the County of Fresno and the City of Fresno through requiring the transferor of any property in the County to provide a disclosure statement describing that the County permits agricultural operations. Projects outside of the Plan Area that are compliant with the County's Right to Farm Ordinance would include adequate measures to buffer project uses from adjacent agricultural uses and would reduce adverse effects on neighboring agricultural uses.

In order to further address this comment, revisions were made to Section 3.2 of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

LOCAL

Fresno County Right to Farm Ordinance

The Fresno County "Right to Farm" Ordinance is discussed in Section 17.04.100 of the County Code. This ordinance helps protect farming operations from interruptions due to land use conflicts with adjacent properties. The intent of the ordinance is to allow farmers to conduct normal farming operations (harvest crops, till soil, or spray crops) without interference from nearby land owners. In essence, it allows farmers to conduct their operations as needed.

Fresno County Right-to-Farm Notice states the following: 'It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniencies and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

March 21, 2022

Casey Lauderdale, Planner
Planning and Development Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

SUBJECT: West Area Neighborhoods Specific Plan

Dear Casey Lauderdale:

The County of Fresno appreciates the opportunity to review and comment on the subject project being reviewed by the City of Fresno. Staff's understanding is that the proposal is of the West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area. The Plan Area is located generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River.

I am providing the following comments provided by our County of Fresno divisions, as it relates to proposed project West Area Neighborhoods Specific Plan

E-1

Environmental Health:

The Fresno County Department of Public Health, Environmental Health Division has reviewed the Draft EIR for the proposed project and concurs with the information contained therein. This Department would appreciate the opportunity to review the final EIR and requests inclusion in its routing. (Electronic preferred)

If you have any questions regarding the information described in this letter, please contact me at DRandall@FresnoCountyCA.gov or (559) 600-4052.

Sincerely,

Dave Randall, Senior Planner
Development Services and Capital Projects Division

DR:ss:cwm
G:\4360Devs&Pln\PROJSEC\PROJDOCS\EnvironmentalDoRC\City of Fresno\West Area Neighborhoods Specific Plan\DAR West Area Neighborhood Specific Plan.docx

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer

Response to Letter E: County of Fresno, Department of Public Works and Planning

Response E-1: The commenter provides introductory statements regarding the Project understanding and location. The commenter also states that, "The Fresno County Department of Public Health, Environmental Health Division has reviewed the Draft EIR for the proposed project and concurs with the information contained herein. This Department would appreciate the opportunity to review the final EIR and requests inclusion in its routing. (Electronic preferred)."

This comment is noted. The City of Fresno has added the Fresno County Department of Public Health, Environmental Health Division to the notification list for this Project; as such, the Final EIR will be routed to the Fresno County Department of Public Health, Environmental Health Division.

March 28, 2022

Casey Lauderdale
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Subject: West Area Neighborhoods Specific Plan – Draft EIR Comments

Hi Casey, thank you for the opportunity to review and comment on the Draft EIR for the West Area Neighborhoods Specific Plan (referred to as "WANSP" hereafter). After reviewing the Draft EIR, I wanted to propose are few revisions to the mitigation measures that have been included to address impacts related to Agricultural Resources and Public Services and Recreation. The proposed revisions and the rationale behind them are presented below. F-1

Agricultural Resources:

The Draft EIR indicates that adoption of the WANSP would result in significant and unavoidable impacts due to the conversion of Farmland and conflicts with agricultural zoning. Mitigation Measures 3.2-1 and 3.2-2 call for 1:1 mitigation of converted farmland and agricultural-zoned land, respectively. However, there is no language in the mitigation measures specifying the location of where such mitigation would take place.

While protection of agricultural resources is considered important at the statewide level, it is of heightened importance in Fresno County (and specifically the West Area) due to the substantial role that agriculture plays in our local culture, economy, and physical landscapes. In order to ensure that the mitigating effects of the proposed mitigation measures are realized locally, Mitigation Measures 3.2-1 and 3.2-2 should be amended to stipulate that such mitigation occurs locally. In this context, "locally" could mean that the mitigation take place within Fresno County, within a certain distance of the Plan Area, and/or on land located west of CA-99. F-2

Public Services and Recreation:

In Mitigation Measures 3.13-3 and 3.13-4, which address impacts related to parks and other public facilities, there is language stating that "environmental review of proposed facilities shall be completed to meet the requirements of CEQA." Because compliance with CEQA is already a requirement under state law (rather than a discretionary measure to avoid or reduce a significant environmental impact), I believe it would be appropriate to 1) eliminate the quoted text from the list of mitigation measures, and 2) revise the text of the Draft EIR as necessary to indicate that future projects will be subject to compliance with CEQA along with other regulations, standards, and policies addressing potential environmental effects associated with those projects. F-3

Respectfully submitted,

Daniel Brannick

Response to Letter F: Daniel Brannick

Response F-1: The commenter states that, "After reviewing the Draft EIR, I wanted to propose are few revisions to the mitigation measures that have been included to address impacts related to Agricultural Resources and Public Services and Recreation."

See Responses F-2 and F-3.

Response F-2: The commenter states that the proposed Specific Plan would result in a significant and unavoidable impact due to the conversion of Farmland and conflicts with agricultural zoning. The commenter states that there is no language in Mitigation Measures 3.2-1 or 3.2-2 specifying the location of where such mitigation would take place. The commenter further states the following: "While protection of agricultural resources is considered important at the statewide level, it is of heightened importance in Fresno County (and specifically the West Area) due to the substantial role that agriculture plays in our local culture, economy, and physical landscapes. In order to ensure that the mitigating effects of the proposed mitigation measures are realized locally, Mitigation Measures 3.2-1 and 3.2-2 should be amended to stipulate that such mitigation occurs locally. In this context, "locally" could mean that the mitigation take place within Fresno County, within a certain distance of the Plan Area, and/or on land located west of CA-99."

Mitigation Measures 3.2-1 and 3.2-2 in Section 3.2, Agricultural Resources, of the Draft EIR have been revised. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> ***Mitigation Measure 3.2-1:*** *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts on Important Farmland located on the site: The project proponent shall mitigate the loss of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the Plan Area at a 1:1 ratio. The acreage of lost farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Once the acreage of farmland converted is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. <u>For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno.</u> Should the City develop a Farmland Preservation Program before future construction within the Plan Area begins, the project proponent shall mitigate for Farmland pursuant to the Program.*
>
> *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*
>
> ***Mitigation Measure 3.2-2:*** *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts related to agriculturally-zoned land located on the site: The project proponent shall mitigate the loss of land zoned for*

agricultural use within the Plan Area at a 1:1 ratio. Once the acreage of land zoned for agricultural use which would be converted by the project is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno.

The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.

Response F-2: The commenter states the following: "In Mitigation Measures 3.13-3 and 3.13-4, which address impacts related to parks and other public facilities, there is language stating that "environmental review of proposed facilities shall be completed to meet the requirements of CEQA." Because compliance with CEQA is already a requirement under state law (rather than a discretionary measure to avoid or reduce a significant environmental impact), I believe it would be appropriate to 1) eliminate the quoted text from the list of mitigation measures, and 2) revise the text of the Draft EIR as necessary to indicate that future projects will be subject to compliance with CEQA along with other regulations, standards, and policies addressing potential environmental effects associated with those projects."

Pages 3.13-36 and 3.13-37 of Section 3.13, Public Services and Recreation, of the Draft EIR have been revised. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> Potential environmental impacts associated with the future construction of park and other recreational facilities within the Plan Area are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of future development and introduction of new urban land uses within the Plan Area. Each future park, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting
>
> It is noted, however, that future development of 118.8 acres of park space within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing new park facilities to serve the Plan Area are considered ***significant and unavoidable***.

~~MITIGATION MEASURE(S)~~

~~***Mitigation Measure 3.13-3:*** *As detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.*~~

Impact 3.13-5: The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts. (Significant and Unavoidable)

Future buildout of the Plan Area in accordance with the proposed land use map would increase demand for other public facilities within the City of Fresno, such as libraries, and community/recreation buildings. The proposed land use map includes two land use designations that could be developed with other public facilities: Public Facilities – Public Facilities, and Public Facilities – Church. Future buildout of the Specific Plan may include construction and/or expansion of existing church sites on 55.8 acres, 129.59 acres of ponding basins, and 27.42 acres of other public facility uses in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Potential environmental impacts associated with the future buildout of the proposed land use map, including the 55.8-acre church site and 27.42 acres of other public facility uses, are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of development and introduction of new urban land uses within the Plan Area. These future church site and public facility use, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA.

CONCLUSION

Project implementation may result in effects on other public facilities. The Specific Plan would result in new demand for other public facilities, including library facilities, ponding basins, and recreational facilities. Although a specific public facility use is not currently proposed by the Specific Plan, the future development of public facility uses are anticipated by the proposed Plan. Future development would be responsible for paying the applicable impact fees, and ongoing revenues from the Specific Plan would be generated from property taxes, sales taxes, and other appropriate fees/payments.

Future development of public facility uses within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing other public facilities to serve the Plan Area are considered ***significant and unavoidable***.

~~MITIGATION MEASURE(S)~~

~~Mitigation Measure 3.13-4:~~ *~~As detailed plans for future libraries or other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.~~*

FRESNO IRRIGATION DISTRICT EST. 1920

2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 28, 2022

Casey Lauderdale
Planning and Development Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Notice of Availability West Area Neighborhood Specific Plan – Draft Environmental Impact Report

Dear Ms. Lauderdale:

The Fresno Irrigation District (FID) has reviewed the Notice of Availability West Area Neighborhood Specific Plan – Draft Environmental Impact Report for the City of Fresno. FID has the following comments:

1. FID previously reviewed and commented on the subject documents on July 26, 2019, as City of Fresno West Area Specific Plan Notice of Preparation. Those comments and conditions still apply and a copy has been attached for your review. G-1

FID has the following additional comments:

1. Canal Access – FID will continue to access its Canal(s) 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. G-2

    a. If guard railings extend beyond attachment points at each wing-wall, they

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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. G-2 cont'd

2. 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.

    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. G-3

    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.

3. 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. G-4

    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. G-4 cont'd

f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.

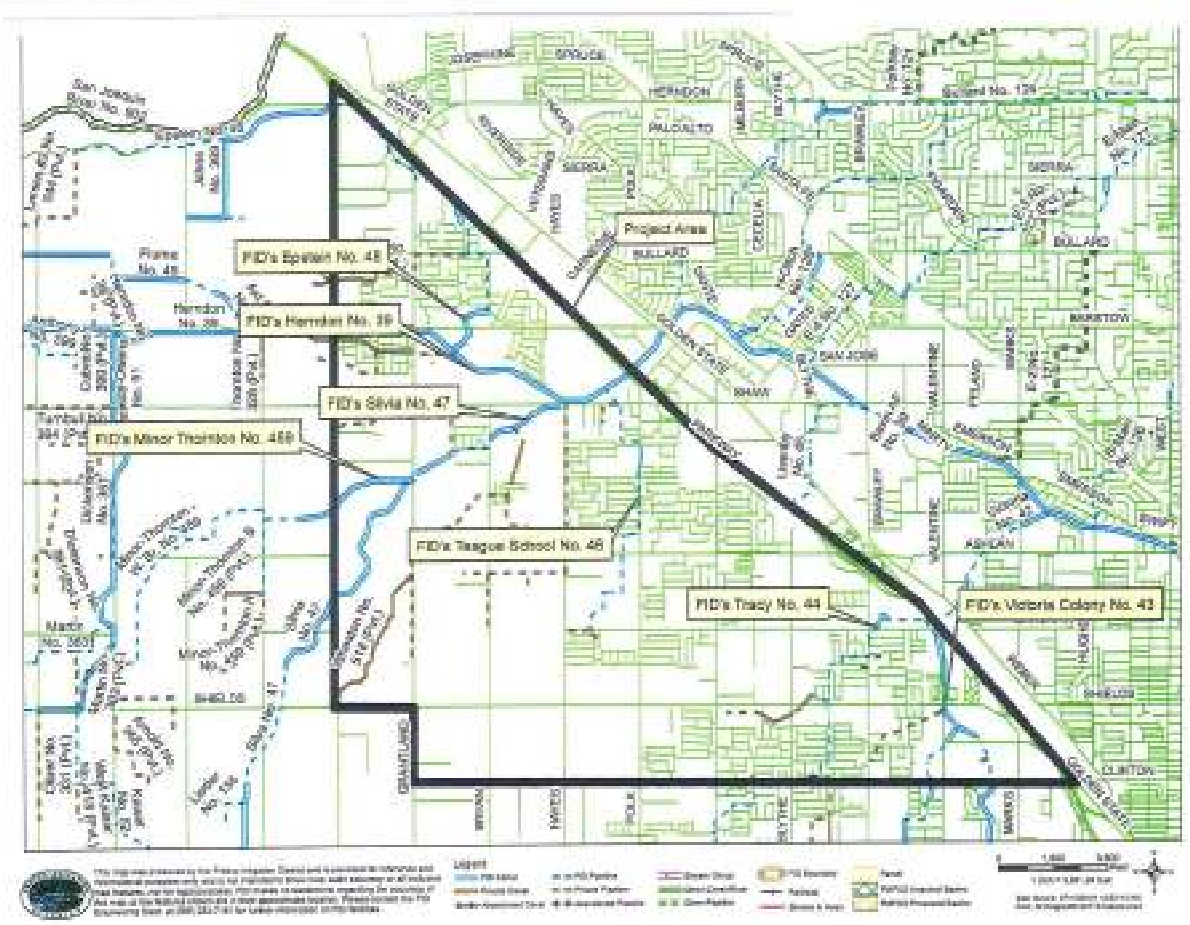
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com. G-5

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments

G:\Agencies\FresnoCity\EIR\DEIR West Area Specific Plan\West Area Specific Plan EIR.doc


Project Area
FID's Epstein No. 48
FID's Herndon No. 39
FID's Silvia No. 47
FID's Minor Thornton No. 469
FID's Teague School No. 46
FID's Tracy No. 44
FID's Victoria Colony No. 43

Due 3/28

NOTICE OF AVAILABILITY

WEST AREA NEIGHBORHOODS SPECIFIC PLAN – DRAFT ENVIRONMENTAL IMPACT REPORT

LEAD AGENCY:
City of Fresno Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

EIR CONSULTANT:
De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

PROJECT TITLE: West Area Neighborhoods Specific Plan

PROJECT LOCATION: The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan", "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." The Plan Area is located generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River. Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth. The Plan Area is not included on the lists of sites enumerated under Section 65962.5 of the Government Code (Hazardous Waste and Substances Site List maintained by the Department of Toxic Substances Control).

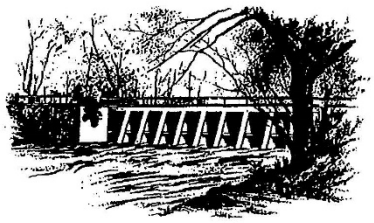
PROJECT DESCRIPTION: The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area. The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The West Area Neighborhoods Specific Plan land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the Plan Area.

The Specific Plan land use plan that was recommended by the Steering Committee would allow for the future development of up to 54,953 dwelling units (DU) (including 67 DU in the commercial category, 47,072 DU in the residential category and 7,814 DU in the mixed use category), and 60,621,006 square feet (SF) of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. In the northern portion of the Plan Area, Fire Station No. 18 is temporarily located off of West Bullard Avenue at 5938 North La Ventana Avenue. Fire Station 18 will be relocated to a permanent location on the south side of the 6000 block of West Shaw Avenue to maximize the department's response time goal. Additionally, the proposed land use plan would allow for approximately 248 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

For more details regarding the project background, development allowance, land uses, and guiding principles, please see Chapter 2.0, Project Description, of the Draft EIR available at: https://www.fresno.gov/westareaplan

SIGNIFICANT ENVIRONMENTAL EFFECTS: The Draft EIR has identified the following environmental issue areas as having significant and unavoidable environmental impacts from implementation of the project: Aesthetics; Agricultural Resources; Air Quality; Public Services and Recreation; Transportation and Circulation; Utilities; Cumulative Aesthetics; Cumulative Agricultural Resources; Cumulative Air Quality; and Cumulative Public Services and Recreation. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the project.

1



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

July 26, 2019

Rodney L. Horton
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: City of Fresno West Area Specific Plan Notice of Preparation
FID Facilities: Various

Dear Mr. Horton:

The Fresno Irrigation District (FID) has reviewed the West Area Specific Plan Notice of Preparation for the City of Fresno (Project). The Planning Area is triangular in shape and located west of SR 99. The project area is bounded by West Clinton Avenue, and to the west by Grantland and Garfield avenues. Your proposed project is a significant development and requires thorough and careful consideration of potential impacts. FID has the following comments: G-6

Impacted Facilities

1. FID has many canals within the Project Area as shown on the attached FID exhibit map. The facilities include: Herndon No. 39, Epstein No. 48, Silvia No. 47, Minor-Thornton No. 459, Teague School No. 46, Tracy No.44, and Victoria Colony No. 43. 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 current urban standards or relocated by the developer to accommodate new urban developments and provide for public safety 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 including, but not limited to requirements from FID specified exclusive easements, access points, and drive approaches at all road crossings. Additionally, FID will also require all impacted open channel drive banks, to be built out to FID specified widths, heights, and overlaid with all-weather road. FID will require that it review and approve all maps and plans which impact FID canals and easements. G-7

2.

a. Small/Medium Canal Crossings – The majority of the proposed Planning Area 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 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 must be replaced as development occurs. G-8
b. Large Canal Crossing – There is a large canal called Herndon Canal No. 39 that will more than likely be too large to be contained within a pipeline. Development impacts to this facility 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.

3. 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. G-9

Water Supply Impact

1. The Planning Area is located within Growth Area 1 of the Cooperative Water Utilization and Conveyance Agreement between the City of Fresno and FID. Should any outside developments receive water through any Extraterritorial Agreements, FID requires it review and approve all Agreements. Areas that are outside of the said Conveyance Agreement or within Growth Area 2 are not entitled to waters from FID.

2. 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 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 heavily reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the potential impacts of the development on the City's ability to comply with requirements of SGMA. G-10

3. The proposed developments may negatively impact local groundwater supplies. A large portion of the planned area is currently being used for agricultural purposes. Under current circumstances the project area is experiencing a modest, but continuing groundwater overdraft. Should the proposed developments result in a greater consumption of groundwater, this deficit will increase. FID suggests the City of Fresno require balancing anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft and require the use of reclaimed water or other conservation methods.

G-10 cont'd

Thank you for providing to us the Notice of Preparation for the City of Fresno's West Area Specific Plan Notice of Preparation for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. FID reserves the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or JLandrith@fresnoirrigation.com.

G-11

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments

G:\Agencies\FresnoCity\EIR\Fresno - West Area - Specific Plan - EIR.doc

NOTICE OF PREPARATION

FOR THE

SPECIFIC PLAN OF THE WEST AREA

JULY 2019

Prepared for:

City of FRESNO

Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-2485

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

NOTICE OF PREPARATION

FOR THE

SPECIFIC PLAN OF THE WEST AREA

JULY 2019

Prepared for:

City of FRESNO

Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-8003

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING

DATE: July 2, 2019

TO: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Organizations and Interested Persons

SUBJECT: Notice of Preparation of an Environmental Impact Report and Scoping Meeting for the Specific Plan of the West Area

LEAD AGENCY: City of Fresno, Development and Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721
(559) 621-2485

PROJECT PLANNER: Rodney Horton
rodney.horton@fresno.gov
(559) 621-8181

PURPOSE OF NOTICE

This is to notify public agencies and the general public that the City of Fresno, as the Lead Agency, will prepare an Environmental Impact Report (EIR) for the Specific Plan of the West Area. The City of Fresno is interested in the input and/or comments of public agencies and the public as to the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project, and public input. Responsible/trustee agencies will need to use the EIR prepared by the City of Fresno when considering applicable permits, or other approvals for the proposed project.

COMMENT PERIOD

Consistent with the time limits mandated by State law, your input, comments or responses must be received in writing and sent at the earliest possible date, but not later than 5:00 PM, August 2, 2019.

Please send your comments/input (including the name for a contact person in your agency) to: Attn: Rodney Horton at the City of Fresno, 2600 Fresno Street, Room 3065, Fresno, CA 93721; or by e-mail to rodney.horton@fresno.gov.

1

SCOPING MEETING

On July 24, 2019, the City of Fresno will conduct a public scoping meeting to solicit input and comments from public agencies and the general public on the proposed project and scope of the EIR. This meeting will be held at the Glacier Point Middle School, Cafeteria, located at 4055 N. Bryan Avenue, Fresno, CA 93722, from 6:00 PM to 7:30 PM.

This meeting will be an open house format and interested parties may drop in to review the proposed project exhibits and submit written comments at any time between 6:00 PM and 7:30 PM. Representatives from the City of Fresno and the EIR consultant will be available to address questions regarding the EIR process and scope. Members of the public may provide written comments throughout the meeting.

If you have any questions regarding the scoping meeting, contact Rodney Horton, Project Planner, at (559) 621-8181 or rodney.horton@fresno.gov.

PROJECT LOCATION

The Specific Plan of the West Area (also-known-as "Specific Plan" or "West Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence (SOI) boundary, which is the adopted limit for future growth.

The Plan Area is triangular in shape and located west of State Route 99. It is bounded on the south by West Clinton Avenue, and to the west by Grantland and Garfield Avenues. The Plan Area includes the southwest portion of Highway City adjacent to State Route 99. See Figure 1 for the regional location map and Figure 2 for the Plan Area vicinity map.

PROJECT SETTING

EXISTING SITE CONDITIONS

The Plan Area is relatively flat with natural gentle slope near State Route 99. The Plan Area topography ranges in elevation from approximately 283 to 315 feet above mean sea level. A significant amount of land in the Plan Area is farmland or rural residential lots with large, uneven, and underutilized parcels. The West Area has approximately 3,070.95 acres of land that is classified as Urban and Built-Up, according to the State Department of Conservation. Prime farmland is principally located outside of the Plan Area. The West Area has 285.65 acres of Farmland of Statewide Importance which is located primarily in the western edge of the Plan Area. Approximately 509.39 acres of Unique Farmland is located within the Plan Area, most of which is within the southwest portion of the Plan Area. Farmland of Local Importance is located throughout the entire Plan Area, and totals approximately 1,562.82 acres. Vacant or Disturbed Land and Rural Residential Land account for approximately 1,650.17 acres within the growth area. See Figure 3 for an aerial view of the Plan Area.

2

SURROUNDING LAND USES

Surrounding land uses include State Route 99, the unincorporated communities of Herndon, Highway City, and Muscatel, and incorporated areas of the City of Fresno to the north (including mostly industrial uses), incorporated areas of the City of Fresno to the east (also including mostly industrial uses), unincorporated Fresno County and incorporated areas of the City of Fresno to the south (including farmland uses, rural residential uses, low density residential uses, and underutilized parcels) and unincorporated Fresno County to the west (including farmland and rural residential uses).

EXISTING LAND USES AND ZONING

A portion of the Plan Area is located within the City of Fresno city limits, and a portion is within unincorporated Fresno County (but within the City's SOI). The City of Fresno General Plan designates the Plan Area as: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, General Commercial, Recreation Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Community Park, Open Space – Ponding Basin, Neighborhood Park, Open Space, Public/Quasi-Public Facility, Special School, Elementary School, Elementary, Middle & High School, and High School. See Figure 4 for the existing City General Plan land use designations.

The City of Fresno Zoning Map provides zoning for those portions of the Plan Area located within the city limits, but not for areas within the unincorporated County. Zoning designations are generally consistent with the existing General Plan land uses. The City zoning designations for the Plan Area include: Residential Estate (RE), Residential Single-Family, Extremely Low Density (RS-1), Residential Single-Family, Very Low Density (RS-2), Residential Single-Family, Low Density (RS-3), Residential Single-Family, Medium Low Density (RS-4), Residential Single-Family, Medium Density (RS-5), Residential Multi-Family, Medium High Density (RM-1), Residential Multi-Family, Urban Neighborhood (RM-2), Residential Multi-Family, High Density (RM-3), Mobile Home Park (RM-MH), Commercial Community (CC), Commercial General (CG), Commercial Regional (CR), Commercial Recreation (CRC), Light Industrial (IL), Corridor/Center Mixed Use (CMX), Neighborhood Mixed Use (NMX), Regional Mixed Use (RMX), Business Park (BP), Office (O), Open Space (OS), and Park and Recreation (PR). See Figure 5 for the existing zoning designations.

The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: Rural Commercial Center (RCC), Central Trading (C4), General Commercial (CG), Light Industrial (M1), Exclusive Agricultural (AE20), Limited Agricultural (AL20), Rural Residential (RR), Single Family Residential Agricultural (RA), Single Family Residential (12,500) (R1B), and Trailer Park Residential (TP). Upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

3

PROJECT GOALS AND OBJECTIVES

Consistent with the California Environmental Quality Act (CEQA), Guidelines Section 15124(b), a clear statement of objectives and the underlying purpose of the proposed project shall be discussed. The objectives of the proposed project include future development of land for a wide variety of land uses including: Low Density Residential, Medium Low Density Residential, Medium Density Residential, Medium High Density Residential, Urban Neighborhood Residential, High Density Residential, Community Commercial, Recreation Commercial, General Commercial, Regional Commercial, Office, Business Park, Light Industrial, Corridor/Center Mixed Use, Regional Mixed Use, Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station uses, as well as the required transportation and utility improvements.

Other objectives and purposes of the Specific Plan are summarized as follows:

- Accommodate and improve roadway access, connectivity and mobility among all modes of transportation, and prioritize roadway widening where bottlenecking exists.
- Accommodate planned transit services in the West Area by locating routes near or adjacent to the community centers, schools, parks, and retail centers.
- Provide a complete, safe, and well-maintained sidewalk network from residential neighborhoods to commercial centers, schools, parks, and community centers.
- Provide a complete, safe, and well-maintained roadway network that allows for efficient and smooth access from the West Area to other sections of the City and region.
- Create parks that are within existing and planned neighborhoods that are easily accessed by community members using pedestrian and bicycle pathways, transit services, or motor vehicles, consistent with the City of Fresno's Parks Master Plan.
- Provide for the location of a flagship Regional Park in the Plan Area that has components of the Plan Area's agricultural history through the planting of drought-resistant vegetation or trees, and the creation of public art that exhibits the Plan Area's contribution to the agricultural industry.
- Incorporate elements of agriculture in future parks by planting a mixture of native drought tolerant vegetation, shrubs, and trees that can serve to provide shade and enhance the streetscape.
- Encourage and provide land use opportunities for agri-tourism ventures to occur in the West Area.
- Encourage the development of harvest – producing community gardens.
- Attract desired and needed local retail establishments to serve the needs of the West Area community. Such establishments include grocery stores, bakeries, restaurants other than fast food places, and boutiques.
- Discourage the expansion of undesirable retail establishments such as liquor stores, tobacco and vapor stores, short-term loan and pawn shops, and adult stores.
- Encourage the development of retail establishments along commercial corridors.

4

- Encourage the orderly and consistent development of civic, parkland, retail and commercial, mixed-use, and multi-family uses along West Shaw Avenue, West Ashlan Avenue, Veterans Boulevard, West Shields Avenue, West Clinton Avenue, and Blythe Avenue.
- Encourage a variety of housing types and styles.
- Encourage the development of housing to accommodate an aging population including, multi-generational houses and other elder housing options.
- Reaffirm the City's commitment and obligation to affirmatively furthering access to fair and affordable housing opportunities by strongly encouraging equitable and fair housing opportunities to be located in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- Attract much needed educational opportunities for the residents of the West Area, especially for post-secondary education, and access to programs for life-long learners.
- Provide for safe routes to schools for children, with the City and County working together with residents, to provide sidewalks in neighborhood that have sporadic access.
- Work to promote Neighborhood Watch in all neighborhoods, and further assess the need for the location of emergency response facilities west of State Route 99.

PROJECT CHARACTERISTICS AND DESCRIPTION

BACKGROUND

The proposed Specific Plan process officially started in September 2017 with the drafting of the existing conditions report. That document provides a detailed overview of the existing land uses within the Plan Area. Outreach to the West Area community started in early 2018 with individual meetings between City staff and community stakeholders, including residents, local agencies, institutional partners, elected officials, land owners, and developers. Public outreach included community stakeholder interviews, Steering Committee orientation sessions and meetings, community meetings and workshops, and an on-line survey.

The 11-member Steering Committee, established in March 2018 by the Fresno City Council, held regular public meetings to provide recommendations to the draft land use map and guiding principles based on input received from community members. Additionally, approximately 25 community stakeholders were interviewed from January 2018 to April 2018. Next, a kick-off survey regarding the Plan Area was released in April 2018. The survey covered topics such as quality of life, needed improvements, needed housing and commercial development, agri-tourism, and the overall future vision for the Plan Area. Two community conversations (i.e., workshops) were also held in order to receive feedback: Community Conversation No. 1 was held in May 2018, and Community Conversation No. 2 was held in June 2018. The Steering Committee then held meetings in June, July, August, November, and January 2018 in order to review and select the conceptual land use options. The draft land use map and guiding principles were released to the public on November 28, 2018. The draft land use map was then amended by the Steering Committee in January 2019. Lastly, an agri-tourism workshop was held in the spring of 2019.

5

INTRODUCTION

The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development applications in the Plan Area.

The Specific Plan of the West Area seeks to provide for the orderly and consistent development that promotes and establishes the West Area as a complete neighborhood with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and encouraging the development of a diverse housing stock. The Plan Area does not currently have needed commercial amenities, forcing residents to travel east of State Route 99 for retail services. The Plan Area also lacks a complete roadway network and parkland.

LAND USE MAP AND MAXIMUM BUILDOUT POTENTIAL

The proposed Specific Plan refines the General Plan's land use vision for the West Area. The draft land use map proposes the relocation of higher density land uses away from the most western and southwestern portions of the Plan Area where they are distant from public transit and community amenities and transfers those higher density land use designations to major corridors. The Specific Plan of the West Area land use plan utilizes the City's existing General Plan land use designations to maintain or re-designate some parcels in the West Area. Some of the designation changes include: Low Density Residential (1 to 3.5 dwelling units per acre [DU/AC]), Medium Low Density Residential (3.5 to 6 DU/AC), Medium Density Residential (5 to 12 DU/AC), Medium High Density Residential (12 to 16 DU/AC), Urban Neighborhood Residential (16 to 30 DU/AC), High Density Residential (30 to 45 DU/AC), Community Commercial (1.0 maximum floor-area-ratio [FAR]), Recreation Commercial (0.5 maximum FAR), General Commercial (2.0 maximum FAR), Regional Commercial (1.0 maximum FAR), Office (2.0 maximum FAR), Business Park (1.0 maximum FAR), Light Industrial (1.0 maximum FAR), Corridor/Center Mixed Use (16 to30 UD/AC and 1.5 maximum FAR), Regional Mixed Use (30 to 45 UD/AC and 2.0 maximum FAR), Pocket Park, Neighborhood Park, Community Park, Open Space, Ponding Basin, Public Facility, Church, Special School, Elementary School, Elementary, Middle & High School, High School, and Fire Station. See Table 1 for a summary of the existing and proposed land uses within the city limits, growth area, and Plan Area. See Figure 6 for the proposed General Plan land use designations.

As previously indicated, the City of Fresno Zoning Map designates the Plan Area as: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH, CC, CG, CR, CRC, IL, CMX, NMX, RMX, BP, O, OS, and PR. The Fresno County Zoning Map designates the portions of the Plan Area outside the city limits as: RCC, C4, C6, M1, AE20, AL20, RR, RA, R1B, and TP. In conjunction with the approval of the Specific Plan, the parcels in the City which would have a changed land use designation as a result of the Specific Plan would be rezoned to the corresponding City zoning designation.

6

TABLE 1: PARCEL ACREAGES BY LAND USE CLASSIFICATION FOR GENERAL PLAN AND PROPOSED SPECIFIC PLAN

General Plan Land Use Designation	City Limits			Growth Area			Plan Area Total		
	General Plan Acres	Specific Plan Acres	Difference in City	General Plan Acres	Specific Plan Acres	Difference in Growth Area	General Plan Acres	Specific Plan Acres	Overall Change
Low	146.37	95.81		371.92	420.75		517.79	516.57	
Medium Low	180.87	821.03		243.89	588.84		424.87	1,409.88	
Medium	1,450.08	1,280.73	-188.07	386.11	624.87	-143.04	1,837.00	1,905.57	-307.21
Medium High	380.03	234.51		68.39	50.24		448.42	279.55	
Urban Neighborhood	314.61	90.51		113.89	75.11		428.51	171.40	
High	28.26	21.85		27.50	0.00		55.75	21.31	
Subtotal - Residential	2,600.19	2,509.70		1,211.80	2,507.72		4,890.13	4,017.41	
Community	95.87	27.48		16.79	55.04		106.68	82.74	
Recreation	41.34	41.34	-60.68	0.00	0.00	+38.36	41.34	41.34	-4.13
General	102.89	103.08		1.65	59.05		103.21	132.78	
Regional	0.00	0.00		0.00	4.24		0.00	4.24	
Subtotal - Commercial	240.40	224.72		28.47	24.88		261.21	218.20	
Office	7.51	41.04		0.00	45.87		7.51	88.81	
Business Park	33.71	29.07	+31.81	14.40	50.40	+28.92	77.11	94.20	+19.84
Light Industrial	22.13	22.75		0.00	0.00		22.13	82.75	
Subtotal - Employment	63.35	98.19		32.40	41.62		127.75	177.50	
Neighborhood	0.00	211.17		0.00	44.80		0.00	255.80	
Corridor/Center	206.19	71.78	-214.80	0.00	24.25	+09.29	206.19	96.00	+180.00
Regional	144.71	82.61		0.00	0.00		144.71	82.61	
Subtotal - Mixed Use	350.90	365.48		0.00	69.04		350.90	434.59	
Pocket Park	1.46	1.55		0.00	0.00		1.46	1.55	
Neighborhood Park	38.87	38.12		47.84	47.04		86.71	85.26	
Community Park	24.25	24.20	+21.58	13.98	0.00	+14.48	38.23	24.20	+10.99
Regional Park	0.00	0.00		0.00	0.00		0.00	0.00	
Open Space	0.00	0.00		1.75	1.75		1.75	1.75	
Ponding Basin	87.26	98.09		20.12	39.60		107.18	129.50	
Subtotal - Open Space	155.42	156.29		102.85	88.41		258.41	248.40	
Public Facility	4.95	13.04		15.83	24.78		21.79	37.61	
Church	9.33	11.30		1.60	14.60		11.00	25.88	
Special School	4.53	5.60		13.88	23.48		18.33	29.58	
Elem. School	50.13	66.17	+31.05	31.88	35.80	+21.09	81.81	81.97	+57.05
Elem./Middle/High School	143.97	148.57		0.00	0.00		148.57	143.97	
High School	46.05	46.05		0.00	0.00		46.05	46.05	
Fire Station	0.30	0.51		0.32	0.00		0.82	0.52	
Subtotal - Public Facilities	258.11	289.17		62.82	88.05		320.41	383.28	
Grand Total	3,678.79	3,677.70	–	1,498.89	1,498.89	–	5,194.24	5,190.13	–

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The parcels that are currently within the County will not be rezoned. Instead, upon a proposal to annex unincorporated land into the city limits, the City of Fresno would prezone the land to a zone that is consistent with the General Plan land use. Once annexation occurs, the County zoning would not apply to the parcel.

Table 2 summarizes the acreages of each land use, the maximum number of units, and the maximum non-residential square footage that would be allowed under the proposed Specific Plan.

TABLE 2: MAXIMUM DEVELOPMENT POTENTIAL WITHIN SPECIFIC PLAN OF THE WEST AREA

General Plan Land Use Designations (and Density/Intensity)	Specific Plan Acres	Maximum Development Potential	
		Dwelling Units	Non-Residential SF
Low (1-3.5 DU/AC)	538.57	1,807	--
Medium Low (3.5-6 DU/AC)	1,656.98	8,793	--
Medium (6-12 DU/AC)	3,066.37	26,784	--
Medium High (12-30 DU/AC)	275.55	4,408	--
Urban Neighborhood (16-30 DU/AC)	171.64	5,149	--
High (30-45 DU/AC)	51.33	1,309	--
Subtotal - Residential	4,597.44	47,199	--
Community (1.0 Max. FAR)	52.74	--	2,297,354.40
Recreation (0.5 Max. FAR)	41.34	--	900,385.20
General (1.0 Max. FAR)	220.38	--	19,234,253.60
Regional (1.0 Max. FAR)	6.24	--	544,644.40
Subtotal - Commercial	519.10	--	22,636,787.60
Office (2.0 Max. FAR)	88.81	--	--
Business Park (1.0 Max. FAR)	50.02	--	--
Light Industrial (1.0 Max. FAR)	42.75	--	--
Subtotal - Employment	177.59	--	--
Neighborhood (12-16 DU/AC; 1.5 Max. FAR)	255.95	4,095	16,723,779.00
Corridor/Center (16-30 DU/AC; 1.5 Max. FAR)	99.00	2,880	6,272,640.00
Regional (30-45 DU/AC; 2.0 Max. FAR)	82.61	3,717	7,196,583.20
Subtotal - Mixed Use	434.56	10,692	29,192,906.20
Pocket Park	1.95	--	--
Neighborhood Park	86.26	--	--
Community Park	24.20	--	--
Regional Park	0.00	--	--
Open Space	6.79	--	--
Ponding Basin	129.59	--	--
Subtotal - Open Space	248.40	--	--
Public Facility	27.42	--	--
Church	55.80	--	--
Special School	18.98	--	--
Elem. School	91.83	--	--
Elem./Middle/High School	145.37	--	--
High School	46.66	--	--
Fire Station	3.32	--	--
Subtotal - Public Facilities	389.66	--	--
Grand Total	**6,366.14**	**57,891 DU**	**52,810,183.80 SF**

As shown in the table, the Specific Plan would allow for the future development of up to 57,891 DU (including 47,199 DU in the residential category and 10,692 DU in the mixed use category) and 52,810,183.80 SF of non-residential uses. The proposed land use plan also designates public facility uses that are currently existing within the Plan Area, including schools and churches. In the northern portion of the Plan Area, Fire Station No. 18 is located off of West Bullard Avenue at 5938 North La Ventana Avenue. Fire Station 18 will be relocated to a permanent location on

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the south side of the 6000 block of West Shaw Avenue to maximize the department's "4 Minutes to Excellence" response time goal. Additionally, the proposed land use plan would allow for approximately 248 acres of park, open space, and ponding basin uses. The Specific Plan also includes circulation and utility improvements, some of which are planned in the City's current program for capital improvements.

The Specific Plan is designed to provide flexibility, so there is an extensive number of hypothetical variations/combinations for residential and non-residential development. However, the data within the above table represents the maximum density allowed without an amendment approved by the City. In effect, this is very likely an overestimate of what will actually be developed, but for purposes of environmental analysis in the EIR it represents the worst-case scenario.

It is noted that the proposed Specific Plan would amend the land uses for approximately half of the land within the Plan Area. The remaining parcels would maintain their existing land use and zoning designations. The parcels that are proposed for change by the proposed land use map are shown in Figure 7.

REVISIONS TO CORE GOALS

In addition to the proposed land use plan, the following are revisions to the core goals provided in the General Plan for the West Area:

1. West Shaw Avenue Town Center: The West Shaw Avenue Town Center (the Town Center) will extend from State Route 99 to the east side of Grantland Avenue and is envisioned to be comprised of mixed-use development supported by enhanced transit service. Land on the south side of West Shaw Avenue will provide additional neighborhood and commercial mixed-use opportunities.
2. Catalytic Corridors: The proposed Specific Plan designates higher density land uses along corridors for the purpose of providing easy access to major arterials and streets, retail centers, and community amenities. Catalytic corridors will include transit services. The corridors are designed to include neighborhood and pocket parks, commercial and retail uses, educational facilities, multi-family dwelling units, and professional offices. The corridors are located on the following streets:
    a) West Shaw Avenue, from State Route 99 to the east side of Grantland Avenue;
    b) West Ashlan Avenue, from State Route 99 to the commercial nodes located on the west side of Grantland Avenue;
    c) North Blythe Avenue, from West Shields to West Ashlan Avenue;
    d) West Clinton Avenue from State Route 99 to North Brawley Avenue; and
    e) Veterans Boulevard, from West Gettysburg Avenue to West Barstow Avenue.

PROJECT ALTERNATIVES

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that

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requires an EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]). Where a potential alternative was examined but not chosen as one of the range of alternatives, the CEQA Guidelines require that the EIR briefly discuss the reasons the alternative was dismissed.

Alternatives that are evaluated in the EIR must be potentially feasible alternatives. However, not all possible alternatives need to be analyzed. An EIR must "set forth only those alternatives necessary to permit a reasoned choice." (CEQA Guidelines, Section 15126.6[f].) The CEQA Guidelines provide a definition for a "range of reasonable alternatives" and, thus limit the number and type of alternatives that need to be evaluated in an EIR. An EIR need not include any action alternatives inconsistent with the lead agency's fundamental underlying purpose in proposing a project. (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1166.)

First and foremost, alternatives in an EIR must be potentially feasible. In the context of CEQA, "feasible" is defined as:

> *... capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.* (CEQA Guidelines 15364)

The inclusion of an alternative in an EIR is not evidence that it is feasible as a matter of law, but rather reflects the judgment of lead agency staff that the alternative is potentially feasible. The final determination of feasibility will be made by the lead agency decision-making body through the adoption of CEQA Findings at the time of action on the Project. (Mira Mar Mobile Community v. City of Oceanside (2004) 119 Cal.App.4th 477, 489 see also CEQA Guidelines, §§ 15091(a)) (3) (findings requirement, where alternatives can be rejected as infeasible); 15126.6 ([an EIR] must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation").) The following factors may be taken into consideration in the assessment of the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, general plan consistency, other plan or regulatory limitations, jurisdictional boundaries, and the ability of the proponent to attain site control (Section 15126.6 (f) (1)).

ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Equally important to attaining the project objectives is the reduction of some or all significant impacts, particularly those that could not be mitigated to a less-than-significant level. The exact alternatives that will be evaluated in the Draft EIR will be determined through the Notice of Preparation (NOP) and Scoping Process. Through preliminary discussions, there are three alternatives to the proposed Specific Plan that are being contemplated for evaluation in the Draft EIR. The alternatives being considered include the following:

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- **No Project (Existing General Plan) Alternative:** Under this alternative, the Plan Area would remain in its current General Plan land use and zoning designations. Future development allowed under the existing General Plan land use map would be permitted in the Plan Area.
- **Regional Park Alternative:** Under this alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map. However, this alternative would provide a Regional Park within the Plan Area, which would be a minimum of 40 acres in size.
- **Lower Density Alternative:** Under this alternative, future development in the Plan Area would occur similar to what would be allowed under the proposed land use map, but at lower densities.

It is noted that the final alternatives selected for analysis in the Draft EIR will be based on the public scoping process, including input received through public comment.

PLAN ADOPTION AND REGULATION

The Specific Plan may include certain development regulations and standards that are intended to be specific to the Specific Plan Area. Where there is a matter or issue not specifically covered by the Specific Plan development regulations and design standards, the Fresno Zoning Code would apply. Where there is a conflict between the Specific Plan and the Zoning Code, the Specific Plan would prevail.

The Specific Plan is intended to be adopted by the City Council and to serve as a tool for the City of Fresno to implement. The Specific Plan is to be used by designers, developers, builders, and planners, to guide development of the Plan Area. The land use, development standards, and design guidelines are provided to ensure that all proposed developments remain consistent with the vision established by the Specific Plan as the Project is built over time. The Specific Plan development concepts, design guidelines, and standards are in accordance with the City's General Plan, Municipal Ordinances, and City Specifications. The Specific Plan shall be used to review, process, and approve development proposals for the Project site including but not limited to site specific development applications and site improvement plans.

TYPE OF EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The program-level analysis considers the broad environmental effects of the proposed project as a whole.

It is noted that the Specific Plan provides a very broad level of planning detail. To the extent that sufficient detail is available in the Specific Plan, a more detailed level of analysis is provided in this EIR. Examples of a more detailed level of analysis would include topics that are related to the physical acreage affected (i.e. the project footprint), maximum number of units (or FAR), land uses/zoning, or other design parameters. In many cases, there will be site specific uses that

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will have design details developed at a later date. These details are unknown at this time and cannot reasonably be analyzed at a project-level at this time.

This EIR examines the planning, construction and operation of the project. The program-level approach, with limited project-level analysis, is appropriate for the proposed project because it allows comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

CEQA Guidelines Section 15168 states that a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1. Geographically,
2. As logical parts in the chain of contemplated actions,
3. In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or
4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

According to CEQA Guidelines section 15168, subdivision (c)(5), "[a] program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible." Later environmental documents (EIRs, mitigated negative declarations, or negative declarations) can incorporate by reference materials from the program EIR regarding regional influences, secondary impacts, cumulative impacts, broad alternatives, and other factors (CEQA Guidelines Section 15168[d][2]). These later documents need only focus on new impacts that have not been considered before (CEQA Guidelines Section 15168[d][3]).

Section 15168(c), entitled "Use with Later Activities," provides, in pertinent part, as follows:

Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared:

1. If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
2. If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activities as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
3. An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

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4. Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

Here, the City anticipates preparing an initial study whenever landowners within the Plan Area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The initial study would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. are there new environmental effects that were not covered by the program EIR). The City's expectation, at least at present, is that the initial study will conclude that most components of the Specific Plan can be developed with no new analysis of environmental effects given that there has been analysis in this program EIR. In some cases, however, a site-specific application (i.e. commercial use) may have specific issues associated with the project, or business, that this program EIR could not anticipate given the information that was available at this time. In those situations, the detailed site-specific information from that application could have site-specific effects not wholly anticipated in this EIR and would require some additional environmental review. (See also CEQA Guidelines section 15063, subd. (b)(1)(C).)

Future site-specific approvals may also be narrowed pursuant to the rules for tiering set forth in CEQA Guidelines Section 15152. "'[T]iering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on 'the big picture,' and can then use streamlined CEQA review for individual projects that are consistent with such...[first tier decisions] and are...consistent with local agencies' governing general plans and zoning.'" (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29, 36.) Section 15152 provides that, where a first-tier EIR has "adequately addressed" the subject of cumulative impacts, such impacts need not be revisited in second- and third-tier documents. Furthermore, second- and third-tier documents may limit the examination of impacts to those that "were not examined as significant effects" in the prior EIR or "[a]re susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means." In general, significant environmental effects have been "adequately addressed" if the lead agency determines that:

1. they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental impact report; or
2. they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

Here, as noted above, the City anticipates preparing Initial Study whenever landowners within the Plan Area submit applications for site-specific approvals (i.e. tentative maps, conditional use

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permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. have all significant environmental impacts identified been "adequately addressed" in the program EIR). Thus, if a new analysis is required for these site-specific actions, it would focus on impacts that cannot be "avoided or mitigated" by mitigation measures that either (i) were adopted in connection with the Specific Plan or (ii) were formulated based on information in this EIR.

In addition, because the EIR addresses the effects of rezoning the land within the proposed Plan Area, future environmental review can also be streamlined pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183. These provisions, which are similar but not identical to the tiering provisions, generally limit the scope of necessary environmental review for site-specific approvals following the preparation of an EIR for a "zoning action." For such site-specific approvals, CEQA generally applies only to impacts that are "peculiar to the parcel or to the project" and have not been previously disclosed, except where "substantial new information" shows that previously identified impacts would be more significant than previously assumed. Notably, impacts are considered not to be "peculiar to the parcel or to the project" if they can be substantially mitigated pursuant to previously adopted, uniformly applied development policies or standards. As noted above, the City anticipates that, in assessing the extent to which the Specific Plan EIR has previously addressed significant impacts that might occur with individual projects, the City may conclude that in some instances (e.g., with respect to agricultural resources, cultural resources, geology, soils, and paleontological resources), no further analysis beyond that found in the program EIR will be necessary.

Finally, for purely residential projects consistent with the Specific Plan, the City intends to preserve its ability to treat such projects as exempt from CEQA pursuant to Government Code section 65457. Subdivision (a) of that statute provides that "[a]ny residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an [EIR] has been certified after January 1, 1980, is exempt from the requirements of [CEQA]." The statutes go on to say, moreover, that "If after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental [EIR] for the specific plan is prepared and certified in accordance with the provisions of [CEQA]. After a supplemental [EIR] is certified, the exemption ... applies to projects undertaken pursuant to the specific plan." (See also CEQA Guidelines section 15182.)

When purely residential projects are proposed, the City will consider whether they qualify for this exemption or whether the Specific Plan EIR must be updated through a supplement to this EIR or a subsequent EIR as required by Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163.

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PROJECT ENTITLEMENTS

The City of Fresno will be the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050. Actions that would be required from the City include, but are not limited to the following:

- Certification of the EIR and adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- Approval of the Specific Plan of the West Area;
- Approval of the General Plan amendment modifying land uses.
- Approval of the Zoning Ordinance amendment modifying zoning.

The EIR analyzes the impacts of the Specific Plan and the anticipated subsequent filing of maps and other development applications in the future. Therefore, the EIR analyzes the maximum impacts of the Specific Plan, including these applications yet unfiled, so that future filings will not require separate environmental analysis, as long as development proposed does not substantially deviate from the approved Specific Plan.

ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

The City must circulate a NOP of an EIR for the proposed project to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting must be held during the public review period to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP will be considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties will be presented in an appendix to the EIR.

DRAFT EIR

The Draft EIR will contain a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR will identify issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP will be considered in preparing the analysis in the EIR. Upon completion of the Draft EIR, the City will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the 45-day public review period.

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RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to significant environmental issues raised either in written comments received during the public review period or in oral comments received at a public hearing during such review period.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

CEQA Guidelines Section 15090 requires lead agencies to certify the final EIR prior to approving a project. The lead agency decision making body shall certify that (i) the Final EIR has been completed in compliance with CEQA; (ii) that the Final EIR was presented to the decision-making body, which reviewed and considered the information contained in the Final EIR prior to approving the project; and (iii) that the Final EIR reflects the lead agency's independent judgment and analysis.

For the proposed project, the City Council City shall be the City's ultimate decision-making body. The Council will therefore review and consider the Final EIR and make a determination regarding whether the document is "adequate and complete." In general, a Final EIR meets this standard if:

1. The EIR shows a good faith effort at full disclosure of environmental information; and
2. The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

The level of detail contained throughout the EIR is intended to be consistent with Section 15151 of the CEQA Guidelines and recent court decisions, which provide the standard of adequacy on which the document is based. The Guidelines state as follows:

> *"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 the environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."*

Following review and consideration of the Final EIR, the City may take action to approve, modify, or reject the project. As part of project approval, the City also is also required to adopt a Mitigation Monitoring and Reporting Program, as described below, prepared in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097. This Mitigation Monitoring and Reporting Program must include all of the mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment, and would be designed to ensure that these measures are actually carried out during project implementation.

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USES OF THE EIR AND REQUIRED AGENCY APPROVALS

The City of Fresno will be the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050. Other agencies may be required to issue permits or approve certain aspects of the proposed project.

Actions that would be required from the City include, but are not limited to, the following:

- Certification of the EIR;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Approval of City of Fresno General Plan Amendments;
- Approval of City of Fresno rezoning;
- Approval of Specific Plan;
- Approval of Development Agreement;
- Approval of future tentative and final maps;
- Approval of future improvement plans;
- Approval of future grading plans;
- Approval of future building permits;
- Approval of future site plan and design review;
- City review and approval of future project utility plans.

The other governmental agencies that may require approvals in connection with the project include, but are not limited to, the following:

- California Department of Fish and Wildlife;
- California Department of Transportation;
- Central Valley Regional Water Quality Control Board - Storm Water Pollution Prevention Plan approval prior to construction activities pursuant to the Clean Water Act;
- San Joaquin Valley Air Pollution Control District - Approval of construction-related air quality permits;
- San Joaquin Valley Air Pollution Control District - Authority to Construct, Permit to Operate for stationary sources of air pollution;
- State Water Resources Control Board.

AREAS OF POTENTIAL IMPACTS

An Initial Study has not been prepared for this project. All environmental topics identified in Appendix G of the State CEQA Guidelines will be analyzed in the EIR, including: Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases and Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities, Wildfire, Cumulative Impacts, and Growth Inducing Impacts.

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Date: June 28, 2019

Signature:

Name/Title: Rodney L. Horton, MPA, Project Planner

Phone/Email: 559-621-8181/Rodney.Horton@fresno.gov

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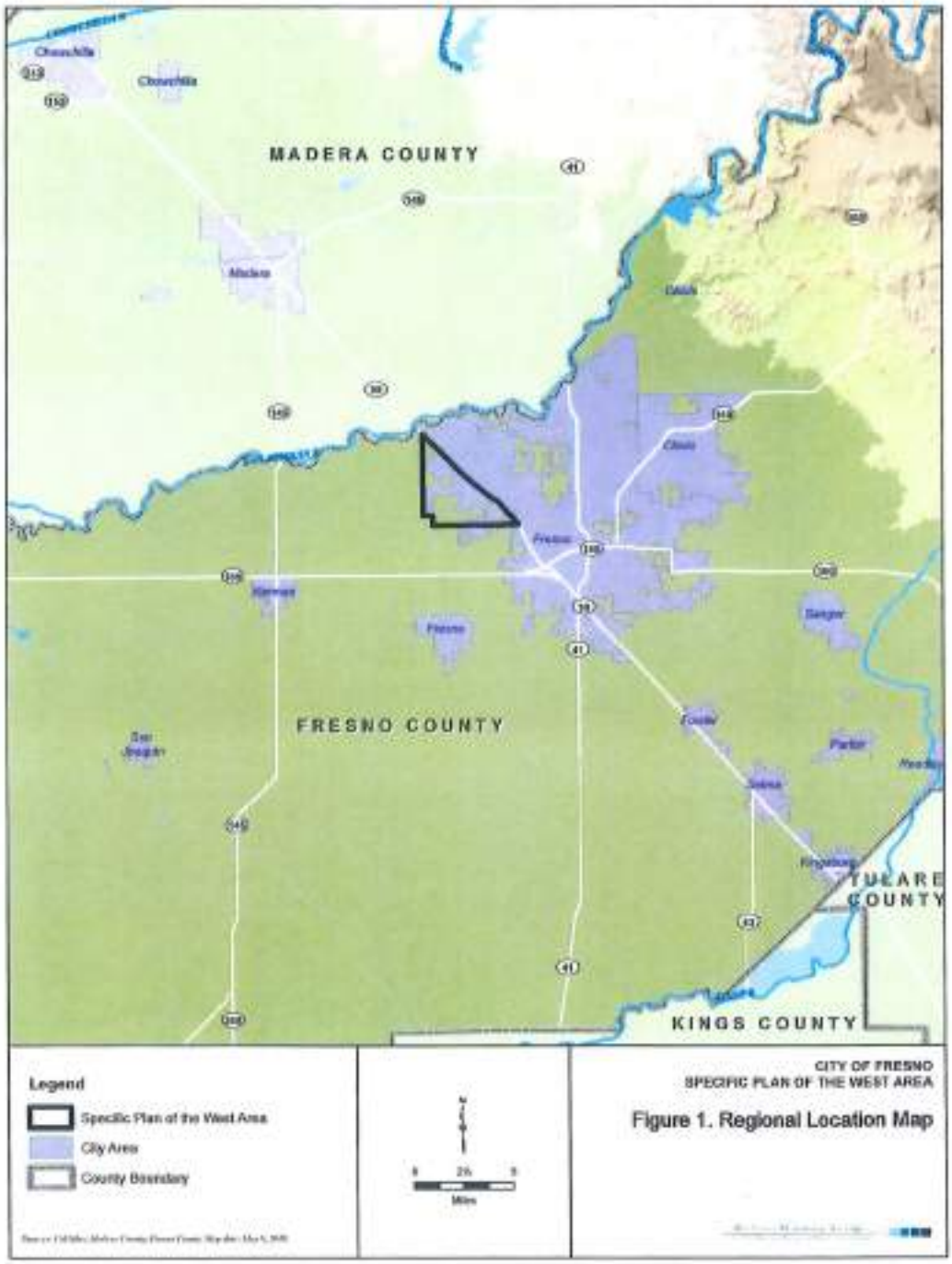
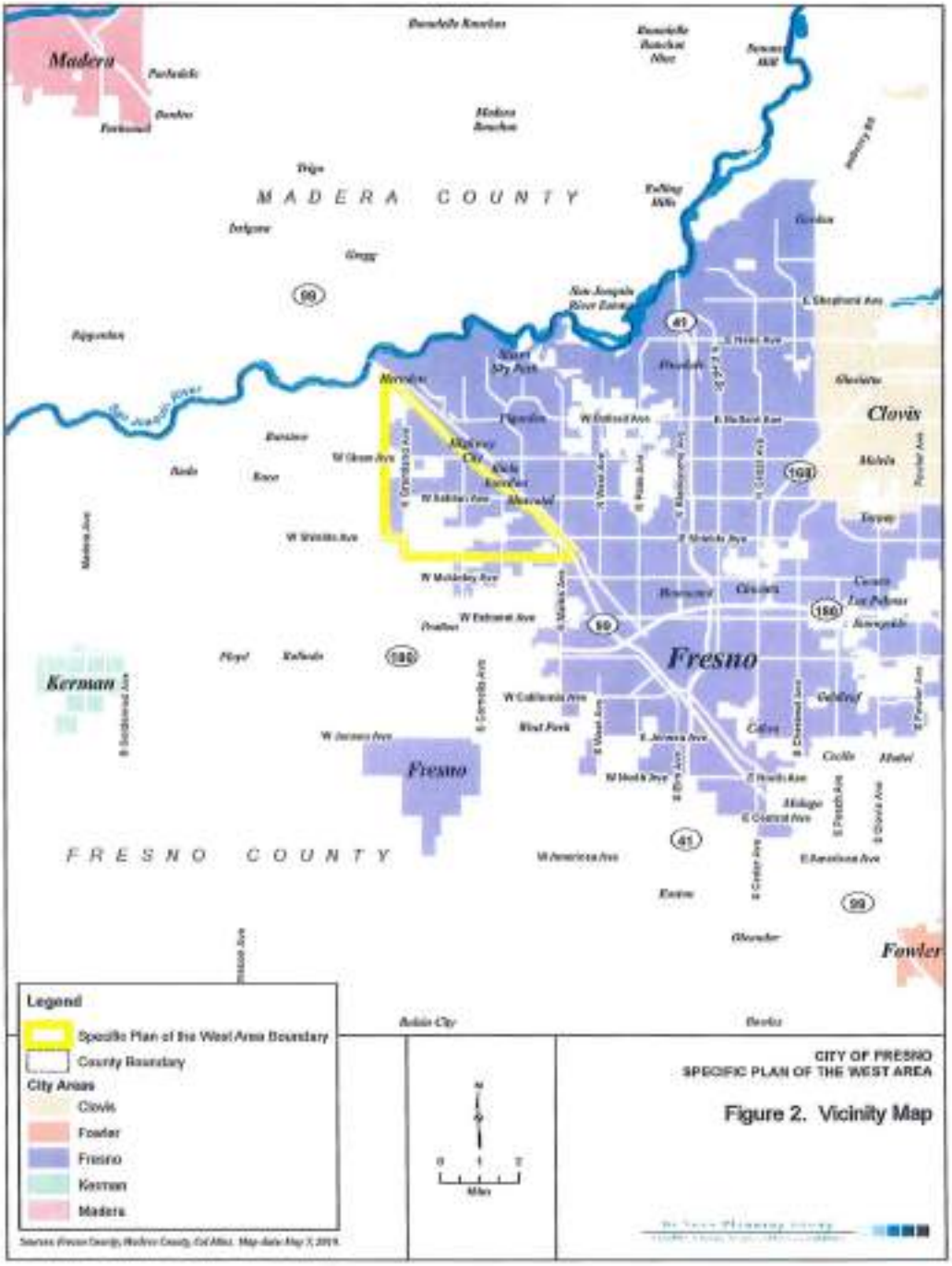
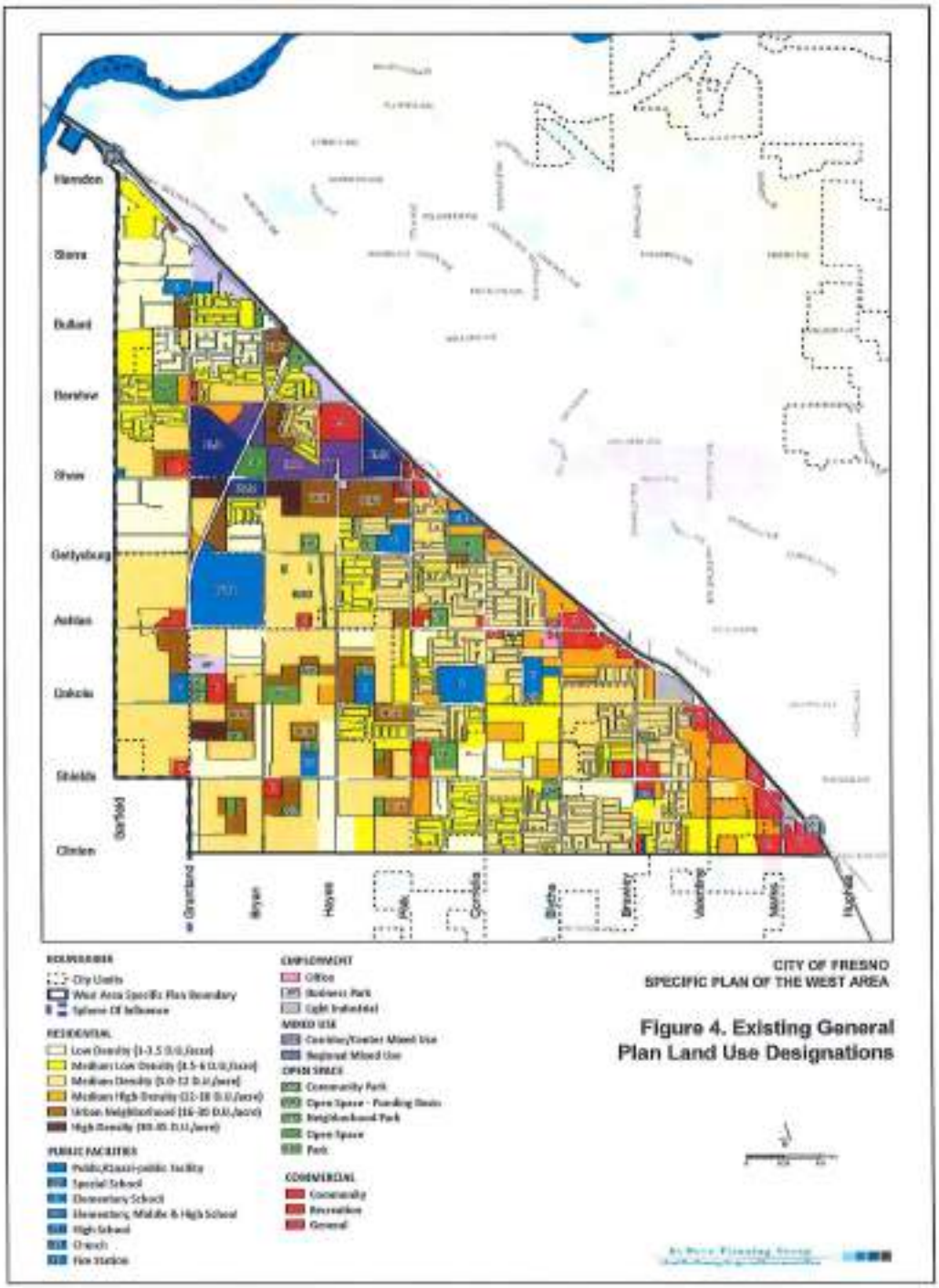

MADERA COUNTY
FRESNO COUNTY
KINGS COUNTY
TULARE COUNTY
Legend
Specific Plan of the West Area
City Area
County Boundary
CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 1. Regional Location Map


Madera
MADERA COUNTY
Clovis
Fresno
Kerman
FRESNO COUNTY
Fowler
Legend
Specific Plan of the West Area Boundary
County Boundary
City Areas
Clovis
Fowler
Fresno
Kerman
Madera
CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 2. Vicinity Map


Legend
Specific Plan of the West Area Boundary
Area Features
Fire Station
Golf Course
Park
Post Office
School
Shopping
Special Point of Interest
Miles
CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 3. Aerial View of Project Site


Hamilton
Sierra
Bullard
Barstow
Shaw
Gettysburg
Ashlan
Dakota
Shields
Clinton
Garfield
Grantland
Bryan
Hayes
Polk
Cornelia
Blythe
Brawley
Valentine
Marks
Hughes
CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 4. Existing General Plan Land Use Designations

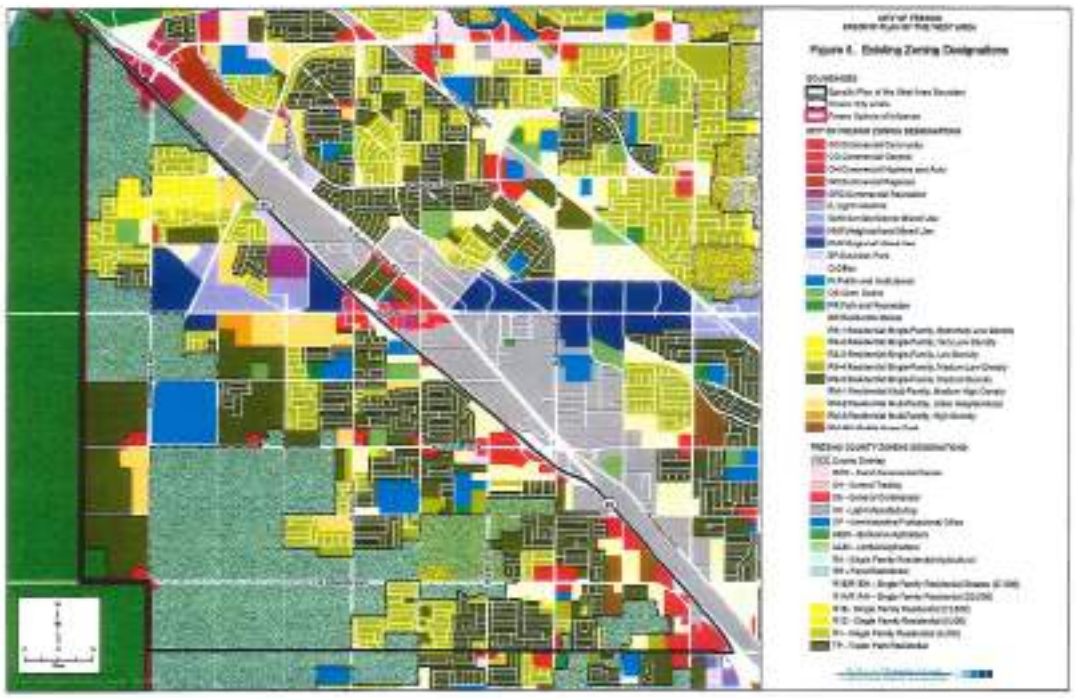


Figure 4 - Existing Zoning Designations

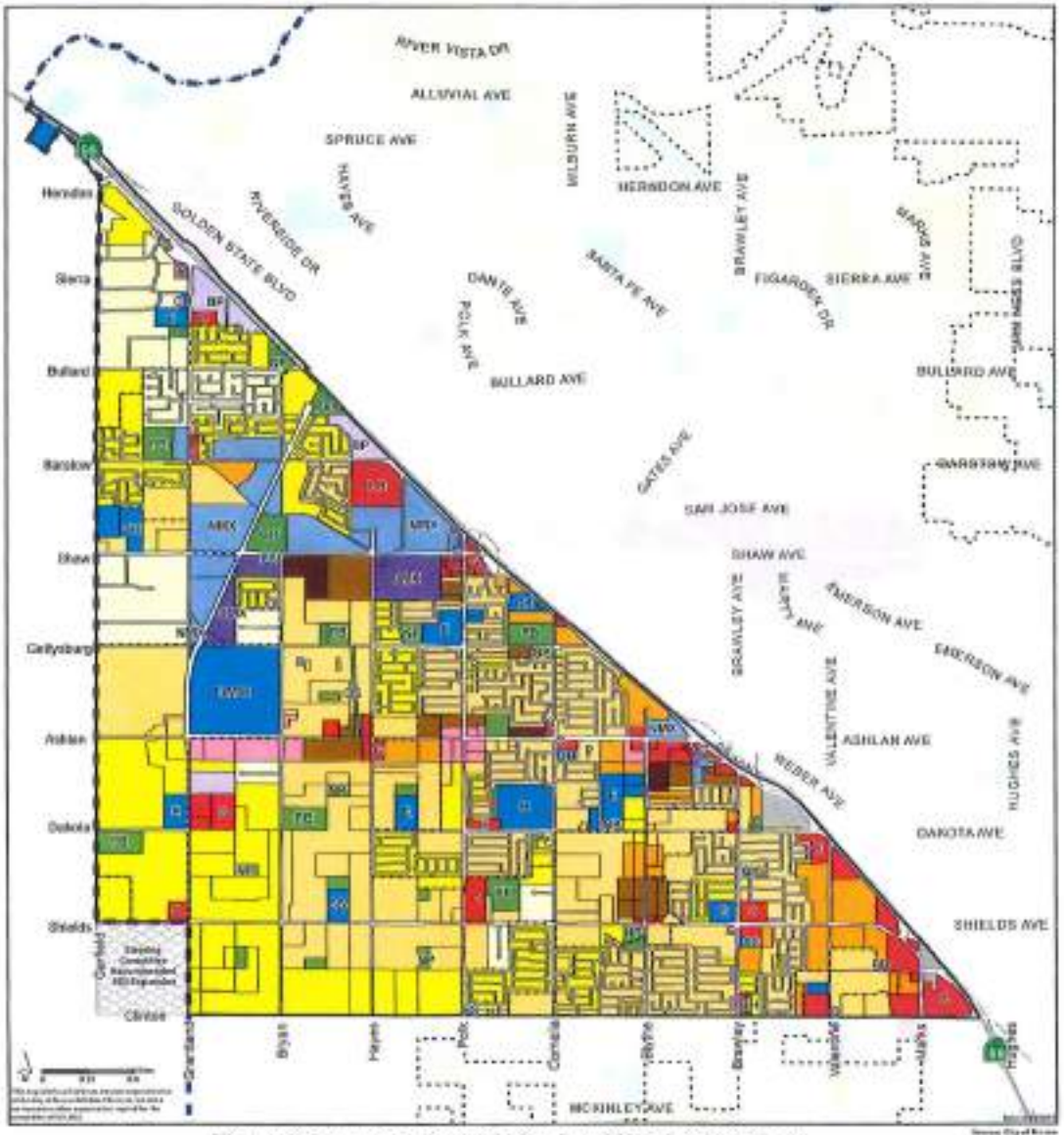


Figure 6. Proposed General Plan Land Use Designations

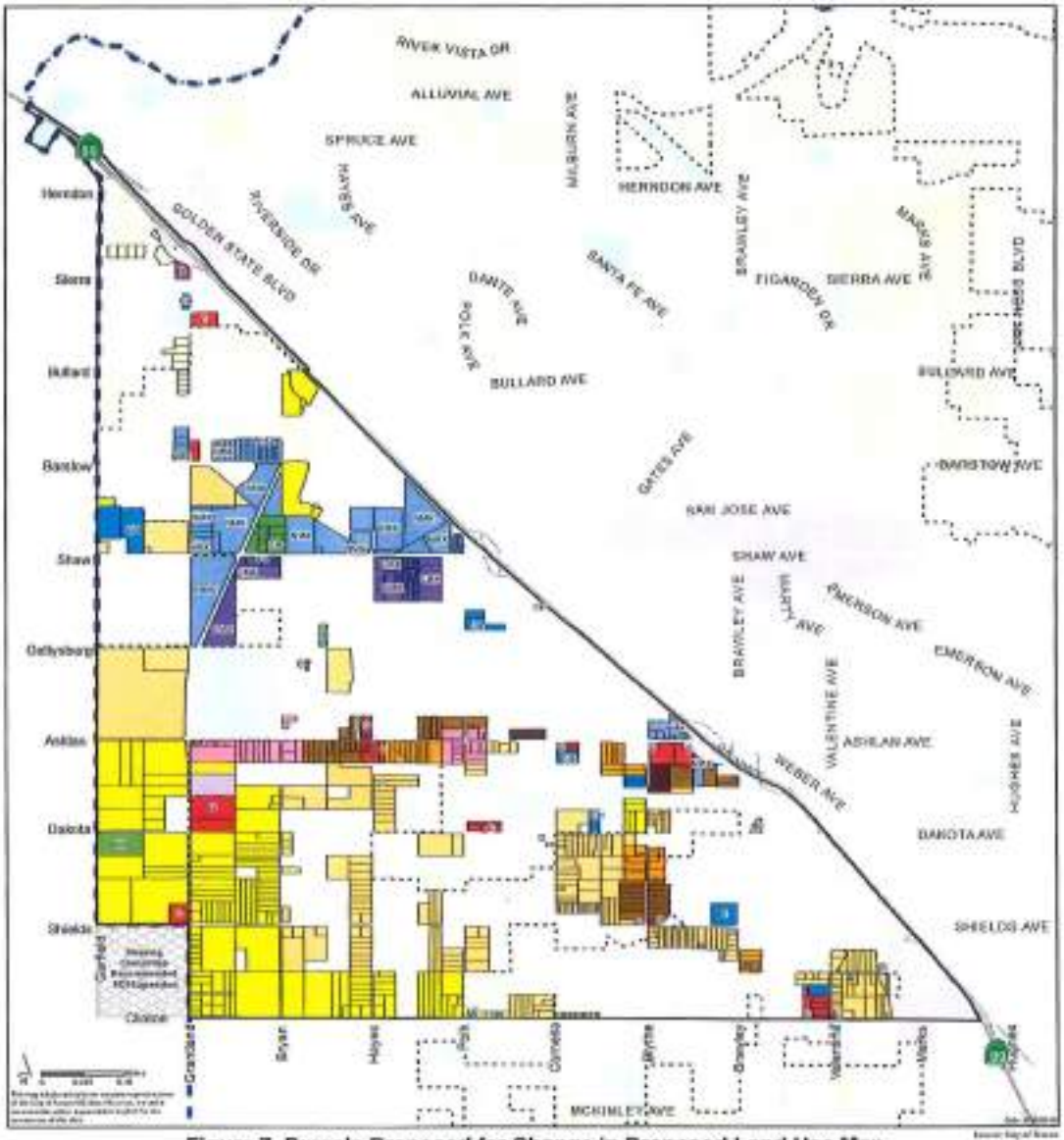


Figure 7. Parcels Proposed for Change in Proposed Land Use Map

Response to Letter G: Fresno Irrigation District

Response G-1: The commenter provides an introduction to the Draft EIR comment letter and states the following: "FID previously reviewed and commented on the subject documents on July 26, 2019, as City of Fresno West Area Specific Plan Notice of Preparation. Those comments and conditions still apply and a copy has been attached for your review."

This comment is noted. The Fresno Irrigation District (FID) provided a Notice of Preparation (NOP) comment letter on July 26, 2019. However, the comment letter was erroneously not included in the Draft EIR. As a result, Appendix A of the Draft EIR, which includes the NOP and NOP comments, has been revised to include the FID NOP comment letter. The FID NOP comment letter is also responded to in Responses G-6 through G-11 below.

Response G-2: The commenter states that FID will continue to access its canal(s) from public roads, which requires a drive approach wide enough to accommodate the equipment. The commenter describes the major factors that affect accessing the canals from public roads. The commenter further states the following: "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."

The proposed Specific Plan refines the General Plan's land use vision for the Plan Area. The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The West Area Neighborhoods Specific Plan seeks to provide for the orderly and consistent development that promotes and establishes the Plan Area as a complete neighborhood with enhanced transportation infrastructure, development of core commercial centers, creation of additional parkland, and development of a diverse housing stock. The Plan Area does not currently have needed commercial amenities, causing residents to travel east of State Route 99 for retail services. The Plan Area also lacks a complete roadway network and parkland. As such, future development in accordance with the Specific Plan would not preclude the FID from accessing its canals from public roads.

While the comment does not raise questions about adequacy of the Draft EIR, or a CEQA topic, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond environmental impacts.

Response G-3: The commenter states that if there will be work on canal banks, three listed conditions pertaining to concrete lining for in-channel disturbed soil, slopes for drive banks, and removal of trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures.

As noted in Response G-2, future development in accordance with the Specific Plan would not preclude the FID from accessing its canals (or working on any canal banks).

While the comment does not raise questions about adequacy of the Draft EIR, or a CEQA topic, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond environmental impacts.

Response G-4: The commenter states the following: "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 rights-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."

The West Area Neighborhoods Specific Plan is not within the Southeast Development Area, as noted in the comment. However, we have assumed the FID erroneously mentioned the Southeast Development Area instead of the West Area Neighborhoods Specific Plan Area. Future development in accordance with the Specific Plan would comply with these conditions pertaining to trails along FID canals. While the comment does not raise questions about adequacy of the Draft EIR, or a CEQA topic, this comment is noted and will be forwarded to the decision makers for their consideration of topics beyond environmental impacts.

Response G-5: This comment is noted. This comment serves as a conclusion to the Draft EIR comment letter and does not warrant a response. No further response is necessary.

Response G-6: This comment is noted. This comment serves as an introduction to the NOP comment letter and summarizes the location of the proposed Plan Area. The commenter also states that the proposed Project is a significant development and requires thorough and careful consideration of potential impacts. Please see Responses G-7 through G-11 for detailed responses to the FID's comments.

Response G-7: The commenter states the following: "FID has many canals within the Project Area as shown on the attached FID exhibit map. The facilities include: Herndon No. 39, Epstein

No. 48, Silvia No. 47, Minor-Thornton No. 459, Teague School No. 46, Tracy No.44, and Victoria Colony No. 43. 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 current urban standards or relocated by the developer to accommodate new urban developments and provide for public safety 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 including, but not limited to requirements from FID specified exclusive easements, access points, and drive approaches at all road crossings. Additionally, FID will also require all impacted open channel drive banks, to be built out to FID specified widths, heights, and overlaid with all-weather road. FID will require that it review and approve all maps and plans which impact FID canals and easements."

This comment is noted. The FID facilities listed in the comment are discussed throughout the Draft EIR, as applicable, and are shown in Figure 3.9-2, Fresno Irrigation District Pipelines and Fresno Metropolitan Flood Control District Basins, of Section 3.9, Hydrology and Water Quality, of the Draft EIR. Stormwater drainage facilities in the Plan Area, including drainage irrigation canals owned by FID, are also discussed in Section 3.15, Utilities and Service Systems.

Impacts associated with stormwater drainage facilities are discussed in Impact 3.15-5 of Section 3.15 of the Draft EIR. As discussed on page 3.15-35, "Installation of storm drainage infrastructure would occur during the construction phases of individual future projects within the Plan Area. There is significant storm drainage infrastructure remaining to be constructed to serve the Plan Area. About 32 miles of additional drainage pipelines is anticipated to be constructed to meet buildout needs." Additionally, as noted on page 3.9-23 of Section 3.9 of the Draft EIR, "The current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, and the San Joaquin River, but is operated and maintained to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. Future development would include water quality BMPs, detention basins, and retention basins designed to minimize or eliminate increases in runoff from these new impervious surfaces entering existing surface water courses and existing storm drains. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible. Consequently, infiltration into the groundwater aquifers will be maximized to the extent possible through the storm drainage design." As such, upgrades to the irrigation canals and stormwater drainage system will occur, as needed, associated with future buildout of the Plan Area.

Response G-8: The commenter states that FID will require all open channels and existing pipelines impacted by future development of the Specific Plan be upgraded to meet FID's current standards, including for road or highway crossings. The commenter also states that the majority of the FID facilities in the Plan Area were designed for a rural environment and must be replaced as development occurs. Further, the commenter states that

development impacts to the Herndorn Canal No. 39 facility 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.

This comment is noted. Please see Response G-7. As noted, upgrades to the irrigation canals and stormwater drainage system will occur, as needed, associated with future buildout of the Plan Area.

Response G-9: The commenter states the following: "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."

The FID facilities are discussed throughout the Draft EIR, as applicable, and are shown in Figure 3.9-2, Fresno Irrigation District Pipelines and Fresno Metropolitan Flood Control District Basins, of Section 3.9, Hydrology and Water Quality, of the Draft EIR. Stormwater drainage facilities in the Plan Area, including drainage irrigation canals owned by FID, are also discussed in Section 3.15, Utilities and Service Systems.

While this comment does not specifically pertain to CEQA or the EIR for the West Area Neighborhoods Specific Plan, this comment is acknowledged by the City.

Response G-10: The commenter states background information regarding Growth Area 1 of the Cooperative Water Utilization and Conveyance Agreement, and states that "Areas that are outside of the said Conveyance Agreement or within Growth Area 2 are not entitled to waters from FID." The commenter also provides background information regarding the Sustainable Groundwater Management Act (SGMA), and concludes that "the City of Fresno should consider the potential impacts of the development on the City's ability to comply with requirements of SGMA." The commenter concludes by stating that, "Should the proposed developments result in a greater consumption of groundwater, this deficit will increase. FID suggests the City of Fresno require balancing anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft and require the use of reclaimed water or other conservation methods."

This comment is noted. Impacts associated with groundwater recharge are discussed in Impact 3.9-3 of Section 3.9, Hydrology and Water Quality of the Draft EIR. The SGMA is also discussed in the Regulatory Setting section of Section 3.9. As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priority subbasin.

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with FMFCD and FID, the City has access

to not only City-owned basins, but also to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

Additionally, impacts associated with water supply availability are discussed in Impact 3.15-4 of Section 3.15, Utilities and Service Systems, of the Draft EIR. A Water Supply Assessment was completed for the proposed Project, which accounts for the City's existing and future water supply portfolio. As discussed, the proposed Specific Plan would be served from the City's existing and future water supplies. The City currently receives water from four water supply sources: surface water from the FID Agreement for Kings River water, surface water from the U.S. Bureau of Reclamation (USBR) Central Valley Project (CVP) Friant Division Contract for San Joaquin River water, groundwater that is pumped from wells in the City, and recycled water (planned to be used for non-potable uses).

The City of Fresno forecasts that it will have sufficient water supplies for demands in its service area over the 2020 to 2040 period in normal, single-dry-year, and multiple-dry-year conditions. Additionally, the Specific Plan water demand is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2040.

Response G-11: This comment is noted. This comment serves as a conclusion to the NOP comment letter. No further response is necessary.

Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 310. "AH", "AI", "AJ", "AK", "AL", "AN", "CD", "CG", "CH", "CI", "EO", "EJ", "EM", "EN", "XX"
420.214

March 30, 2022

Casey Lauderdale, Planner
City of Fresno Planning & Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Casey,

Notice of Availability of a Draft Environmental Impact Report (DEIR) for the West Area Neighborhoods Specific Plan
Drainage Areas "AH", "AI", "AJ", "AK", "AL", "AN", "CD", "CG", "CH", "CI", "EO", "EJ", "EM", "EN", "XX"

The Fresno Metropolitan Flood Control District (FMFCD) has adopted storm drainage Master Plan systems for the areas located within the West Area Neighborhoods Specific Plan (Plan Area). These Master Plan systems are based on the previously adopted General and Specific Plan land uses.

As noted in FMFCD's prior letter dated August 1, 2019, in Master Plan areas where no drainage facilities have been constructed, the Master Plan can be revised to accommodate new land uses and pipe alignments within the Plan Area. For areas that have existing drainage facilities and propose changes to land uses that generate more runoff than originally planned, some type of mitigation to accommodate the increased flow such as parallel pipes and/or on-site retention may be required. FMFCD also previously identified properties within the Plan Area that may require some form of mitigation. Additional properties have been identified due to revisions of the Plan Area land uses shown on Figure 2.0-7 and all properties requiring mitigation are shown on the attached Exhibit No. 1. H-1

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

1. Page ES-29, Impact Number 3.9-4: Include mitigation may be required in areas with existing drainage facilities where land use changes increase runoff. H-2

K:\letters\environmental impact report letters\deir fresno west area neighborhoods specific plan(dw)(3-2022).docx
5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194
www.fresnofloodcontrol.org

2. Figure 2.0-4: While we understand basin designations may not be able to change, we wish to point out existing Basin "CD" needs to be added and Basin "AI" should be designed as a ponding basin not neighborhood park. H-3

3. Page TOC-6 and 3.9-33 (Figure 3.9-2): The title should read "Fresno Metropolitan Flood Control District Basin Facilities". No additional FMFCD facilities such as pipelines are shown other than basins. Remove FMFCD from "FMFCD Features". FID facilities are not part of FMFCD facilities. H-4

4. Page 1.0-5: Include FMFCD as Responsible and Trustee Agency. H-5

5. Page 1.0-10; Paragraph 1.7-Item 9: Floor should be corrected to say Flood. H-6

6. Page 2.0-15: Include FMFCD as Responsible and Trustee Agency. H-7

7. Page 3.4-9; Paragraph 6: Update "680" to "750" miles. Revise last two sentences to include additional language such as "features" and "basins". I.e. "the FMFCD has planned for streets or other conveyance to move the excess runoff to the basins" should read "the FMFCD has planned streets or other conveyance features to move excess runoff to the basins" and "The FMFCD facilities in the Plan Area" should read "The FMFCD basin facilities in the Plan Area". H-8

8. Page 3.4-9; Paragraph 7: "Drainage channels within the Plan Area include" should remove the word channels and be corrected to say "Drainage irrigation canals owned by FID within the Plan Area include". H-9

9. Page 3.4-44: Remove the sentence "or permanent flood control/drainage facilities". On-site "flood control" facilities, i.e. "permanent basins" will not be substituted for purpose of FMFCD basins or eliminate the need for payment of a drainage fee. H-10

10. Page 3.9-6 and 3.9-7: Correct content to reflect same comments in Item 7 and 8 above. H-11

11. Page 3.9-7: Correct last sentence "capital improvement plan update every five years." to say "capital improvement plan update every year with projected funding for five years". H-12

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12. Page 3.9-9; Paragraph 1: Revise first sentence "The current drainage system in the Plan Area discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying ground water aquifer." to read "the current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, and the San Joaquin River, but is operated and maintained to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer". H-13

13. Page 3.9-12: Revise Policy NS-3-b: "(FMFCD) to install curbing, gutters, and other drainage facilities…." to read "(FMFCD) to install drainage facilities in conjunction with City installation of curb and gutter…..". H-14

14. Page 3.9-22 and 3.9-23: Correct content to reflect same comments as Numbers 7 and 12 above. H-15

15. Pages 3.9-25, 3.15-15, 23-6.1.2.3 of West Yost document: Revise sentence "but also those of these two agencies" to read "but also to specific facilities owned and operated by these two agencies". H-16

16. Page 3.15-27: Correct context to reflect same comments as Numbers 7 and 8 above. H-17

17. Page 3.15-28: Correct second paragraph context to reflect same comments as Number 11 above. H-18

18. Page 3.15-33-34: Revise Policy NS-3-b: correct context to reflect same comments as Number 13 above. H-19

19. Page 4.0-15; First paragraph: 158 should be corrected to say 165. H-20

20. Page 4.0-18: Correct second paragraph context to reflect same as Number 11 above. H-21

Proposed land uses vary substantially in density between plan alternates which can effect system size. FMFCD shall be notified when an alternate is chosen and/or changes are made to the proposed land uses. H-22

The City of Fresno, FMFCD, the County of Fresno, the City of Clovis, and the California State University, Fresno are currently covered as Co-Permittees for Municipal Separate Storm Sewer System (MS4) discharges through National Pollutant Discharge Elimination System (NPDES) General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) H-23

effective May 17, 2018. The previous Storm Water Permit adopted on May 31, 2013 required the adoption of Stormwater Quality Management Program (SWQMP) that describes the Storm Water Permit implementation actions and Co-Permittee responsibilities. That SWQMP was approved by the Central Valley Regional Water Quality Control Board on April 17, 2015 and is effective until adoption of a new SWQMP, which is anticipated within the next two years.

It is FMFCD's understanding that the City will adopt a Program EIR for the proposed West Area Neighborhoods Specific Plan and that the Program EIR may be used when considering approval of future discretionary actions. The Storm Water Permit requires that Co-Permittees update their CEQA process to incorporate procedures for considering potential stormwater quality impacts when preparing and reviewing CEQA documents. This requirement is found on Provision D.14 of the 2013 Storm Water Permit and in Section 7: Planning and Land Development Program – PLD 3 – Update CEQA Process. The District has created a guidance document that will meet this Storm Water Permit requirement entitled *Guidance for Addressing Stormwater Quality for CEQA Review*, which has been attached. In an effort to streamline future CEQA processing and maintain compliance with the Storm Water Permit, FMFCD recommends that all future CEQA review within the City of Fresno utilize the attached guidance document Exhibit "A".

H-23 cont'd

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

Sincerely,

Denise Wade
Master Plan and Special Projects Manager

DW/lrl

Attachment

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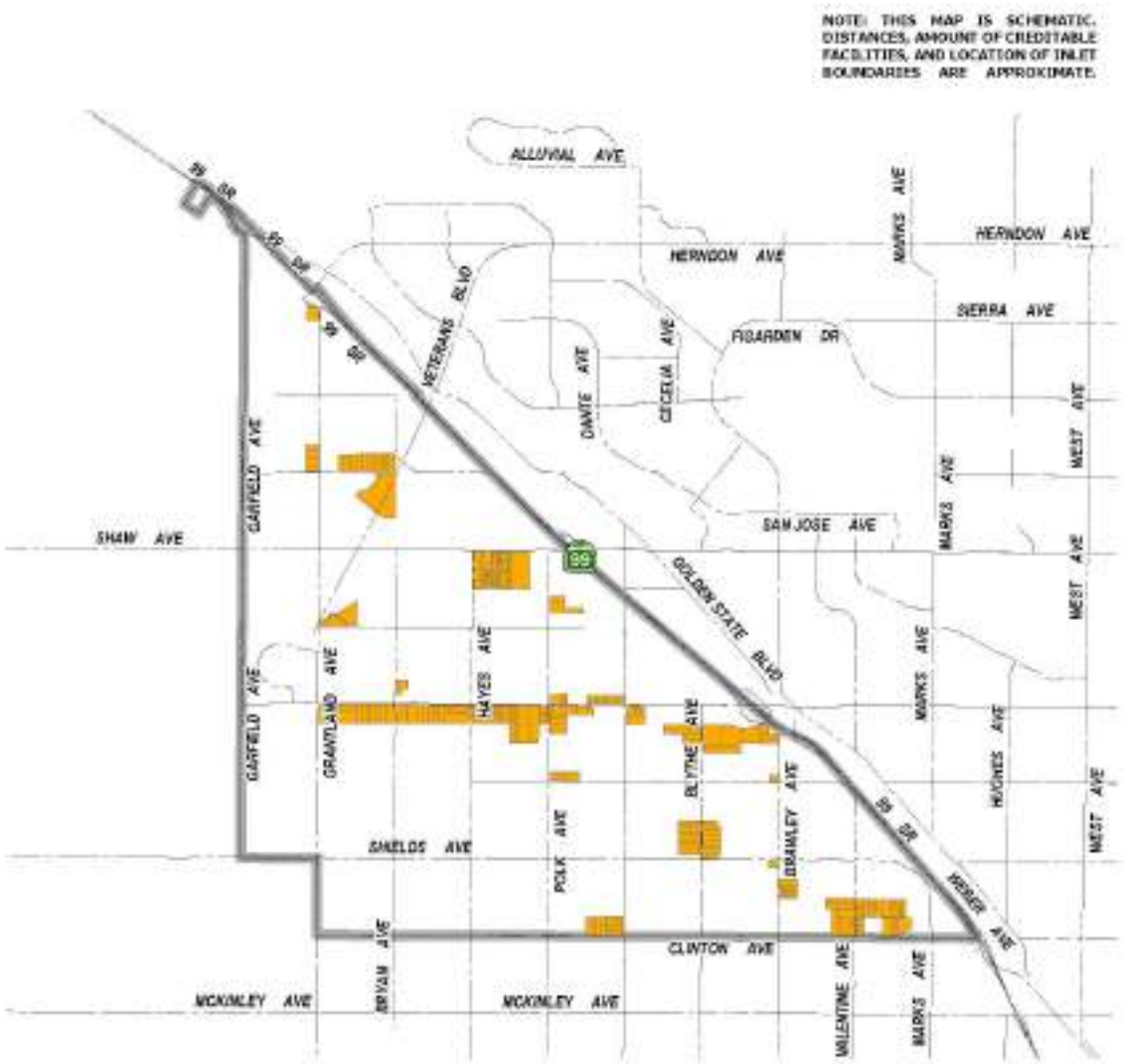

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.
ALLUVIAL AVE
HERNDON AVE
SIERRA AVE
FIGARDEN DR
SAN JOSE AVE
SHAW AVE
SHIELDS AVE
CLINTON AVE
MCKINLEY AVE
GOLDEN STATE BLVD
99 SR
VETERANS BLVD
GARFIELD AVE
GRANTLAND AVE
HAYES AVE
DAKOTA AVE
CECELIA AVE
MARKS AVE
WEST AVE
BLYTHE AVE
DRAMALEY AVE
POLK AVE
BRYAN AVE
VALENTINE AVE
HUGHES AVE
WARNER AVE
LEGEND
Potential Areas for Mitigation
1 " = 5000 '
West Area Neighborhoods Specific Plan
EXHIBIT NO. 1
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
Prepared by: daniellg
Date: 3/30/2022

EXHIBIT "A"

Fresno Metropolitan Flood Control District

Guidance for Addressing Stormwater Quality for CEQA Review

Stormwater Checklist for CEQA Review

a. Potential impact of project construction on stormwater runoff.

Stormwater runoff from construction activities can have a significant impact on water quality. To build on sites with over one acre of disturbed land, property owners must obtain coverage under the California Construction General Permit for Discharges of Stormwater (CGP). The CGP is issued by the State Water Resources Control Board (SWRCB). The CGP requires sites that do not qualify for an erosivity waiver to create a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is a site-specific plan that is designed to control the discharge of pollutants from the construction site to local storm drains and waterways.

b. Potential impact of project post-construction activity on stormwater runoff.

FMFCD operates the Regional Stormwater Mitigation System, which consists of facilities to handle stormwater runoff and non-stormwater discharges in the FMFCD service area. However, river discharging drainage areas and drainage areas without basin service are subject to FMFCD Policy: Providing for Compliance with Post-Development and Industrial Storm Water Pollution Control Requirements (Policy).

Development and redevelopment projects can result in discharge of pollutants to receiving waters. Pollutants of concern for a project site depend on the following factors:

- Project location;
- Land use and activities that have occurred on the project site in the past;
- Land use and activities that are likely to occur in the future; and
- Receiving water impairments.

As land use activities and site design practices evolve, particularly with increased incorporation of stormwater quality BMPs, characteristic stormwater runoff concentrations and pollutants of concern from various land use types are also likely to change.

Typical Pollutants of Concern and Sources for Post-Development Areas

Pollutant	Potential Sources
Sediment (total suspended solids and turbidity), trash and debris (gross solids and floatables)	Streets, landscaped areas, driveways, roads, construction activities, atmospheric deposition, soil erosion (channels and slopes)

Pesticides and herbicides	Residential lawns and gardens, roadsides, utility right-of-ways, commercial and industrial landscaped areas, soil wash-off
Organic materials/oxygen demanding substances	Residential laws and gardens, commercial landscaping, animal waste
Metals	Automobiles, bridges, atmospheric deposition, industrial areas, soil erosion, metal surfaces, combustion processes
Oil and grease, organics associated with petroleum	Roads, driveways, parking lots, vehicle maintenance areas, gas stations, illicit dumping to storm drains, automobile emissions, and fats, oils, and grease from restaurants
Bacteria and viruses	Lawns, roads, leaking sanitary sewer lines, sanitary sewer cross-connections, animal waste (domestic and wild), septic systems, homeless encampments, sediments/biofilms in storm drain system
Nutrients	Landscape fertilizers, atmospheric deposition, automobile exhaust, soil erosion, animal waste, detergents

Source: Adapted from USEPA, 1999 (Preliminary Data Summary of Urban Storm Water BMPs)

FMFCD's Post-Development Standards Technical Manual provides guidance for implementing stormwater quality Best Management Practices (BMPs) for drainage areas subject to the Policy, with the intention of improving water quality and mitigating potential water quality impacts from stormwater and non-stormwater discharges. The Post-Development Standards Technical Manual addresses the following objectives and goals:

- Minimize impervious surfaces and directly connect impervious surfaces in areas of new development and redevelopment, and where feasible, to maximize on-site infiltration of stormwater runoff;
- Implement pollution prevention methods supplemented by pollutant source controls and treatment, and where practical, use strategies that control the sources of pollutants or constituents (i.e., where water initially meets the ground) to minimize the transport of runoff and pollutants offsite and into MS4s;
- Preserve, and where possible create or restore, areas that provide important water quality benefits, such as riparian corridors, wetlands, or buffer zones
- Limit disturbances of natural water bodies and natural drainage systems by development, including roads, highways, and bridges;
- Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss or establish guidance that protects areas from erosion and sediment loss;
- Implement source and structural controls as necessary and appropriate to protect downstream receiving water quality from increased pollutant loadings and flows (hydromodification concepts) from new development and significant redevelopment;

- Control the post-development peak stormwater runoff discharge rates and velocities to maintain or reduce pre-development downstream erosion and to protect downstream habitat; and
- Consider integration of Low Impact Development (LID) principles into project design.

The Post-Development Standards Technical Manual describes the stormwater management requirements for Priority Projects, which are identified as meeting one or more of the following and discharge to the San Joaquin River or do not have basin service:

- Home subdivisions of 10 housing units or more;
- Commercial developments greater than 100,000 square feet;
- Automotive repair shops;
- Restaurants;
- Parking lots 5,000 square feet or greater with 25 or more parking spaces and potentially exposed to urban runoff;
- Streets and roads;
- Retail gasoline outlets (RGOs); and
- Significant redevelopment projects, which are developments that result in creation or addition of at least 5,000 square feet of impervious surface on an already developed site. Significant redevelopment includes, but is not limited to, expansion of a building footprint or addition or replacement of a structure, structural developing including an increase in gross floor area and/or exterior construction or remodeling, replacement of impervious surface that is not part of a routine maintenance activity, and land disturbing activities related with structural or impervious surfaces. Where significant redevelopment results in an increase of less than 50 percent of the impervious surfaces of a previously existing development and the existing development was not subject to Post-Construction Standards, only the proposed alteration must meet the requirements of the Post-Development Standards Technical Manual.

All Priority Projects must mitigate the Stormwater Quality Design Volume (SWQDV) or Stormwater Quality Design Flow (SWQDF) through LID- or treatment-based stormwater quality BMPs or a combination thereof.

For new development or significant redevelopment projects for restaurants with less than 5,000 square feet, the project applicant must meet all the requirements of the Post-Development Standards Technical Manual except for mitigating the SWQDV or SWQDF and implementing stormwater quality BMPs.

The Post-Development Standards Technical Manual can be found on FMFCD's website here:

http://www.fresnofloodcontrol.org/wp-content/uploads/2014/11/Post-Development-Standards-Technical-Manual.pdf

c. Potential for discharge of stormwater from areas from material storage, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

Development projects may create potential impacts to stormwater from non-stormwater discharge from areas with material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work area.

Some materials, such as those containing heavy metals or toxic compounds, are of more concern than other materials. Toxic and hazardous materials must be prevented from coming in contact with stormwater runoff. Non-toxic or non-hazardous materials, such as debris and sediment, can also have significant impacts on receiving waters. Contact between non-toxic or non-hazardous materials and stormwater runoff should be limited, and such materials prevented from being discharged with stormwater runoff. To help mitigate these potential impacts, BMPs should be included to prevent discharges from leaving the property.

Refer to FMFCD Post-Development Standards Technical Manual for more information or go to http://water.epa.gov/polwaste/nps/urban.cfm.

d. Potential for discharge of stormwater to impact the beneficial uses of the receiving waters or areas that provide water quality benefits.

Identify receiving waters and describe activities that may impact the beneficial uses of the receiving waters or that project water quality benefits. Project that can impact beneficial uses or receiving waters may be mitigated by implementation of the FMFCD Post-Development Standards Technical Manual.

e. Potential for the discharge of stormwater to cause significant harm on the biological integrity of the water ways and water bodies.

Conservation of natural areas, soils, and vegetation helps to retain numerous functions of pre-development hydrology, including rainfall interception, infiltration, and evapotranspiration. Each project site possesses unique topographic, hydrologic, and vegetative features, some of which are more suitable for development than others. Sensitive areas, such as streams and their buffers, floodplains, wetlands, steep slopes, and highly-permeable soils, should be protected and/or restored. Slopes can be a major source of sediment and should be properly protected and stabilized. Locating development in less sensitive areas of a project site and conserving naturally vegetated areas can minimize environmental impacts from stormwater runoff.

The evaluation of a project's effect on sensitive natural communities should encompass aquatic and wetland habitats. Consider "aquatic and wetland habitat" as examples of sensitive habitat.

f. Potential for significant changes in the flow velocity or volume of stormwater runoff that can cause environmental harm.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

g. Potential for significant increases in erosion of the project site or surrounding areas.

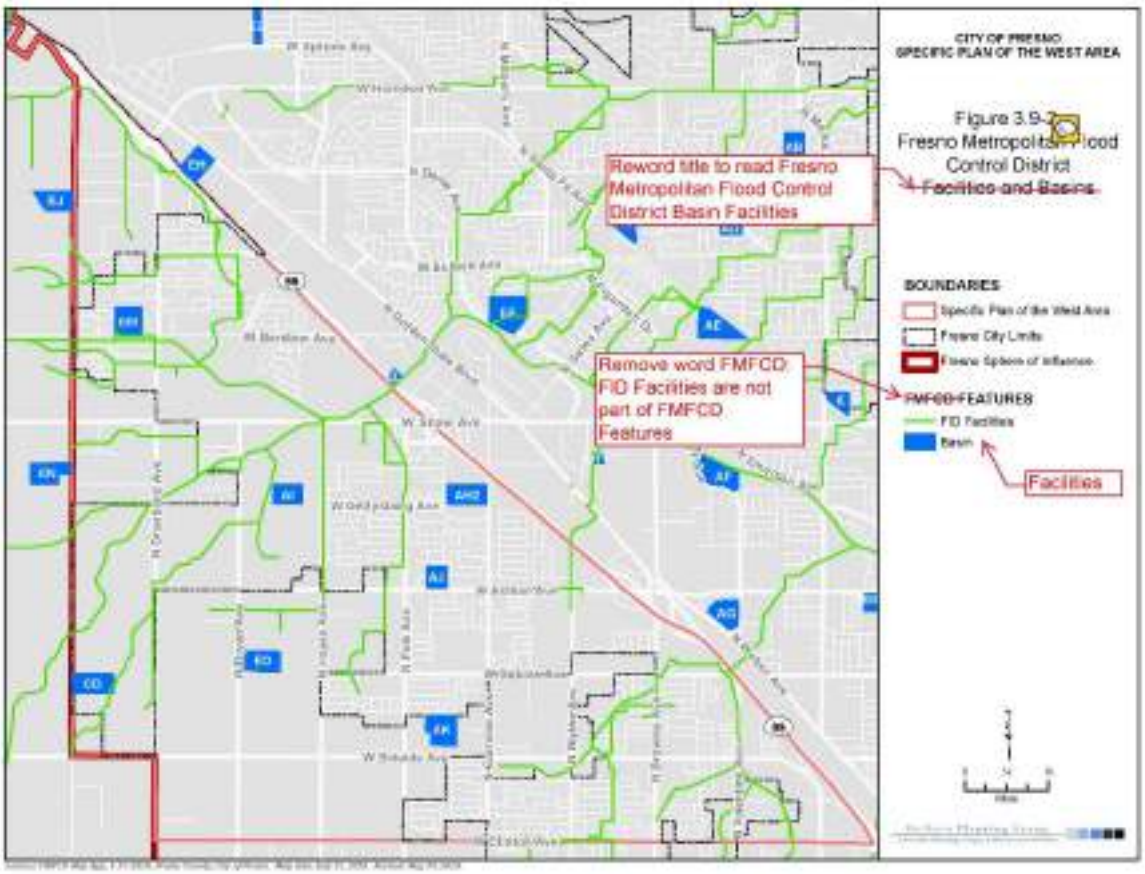
The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

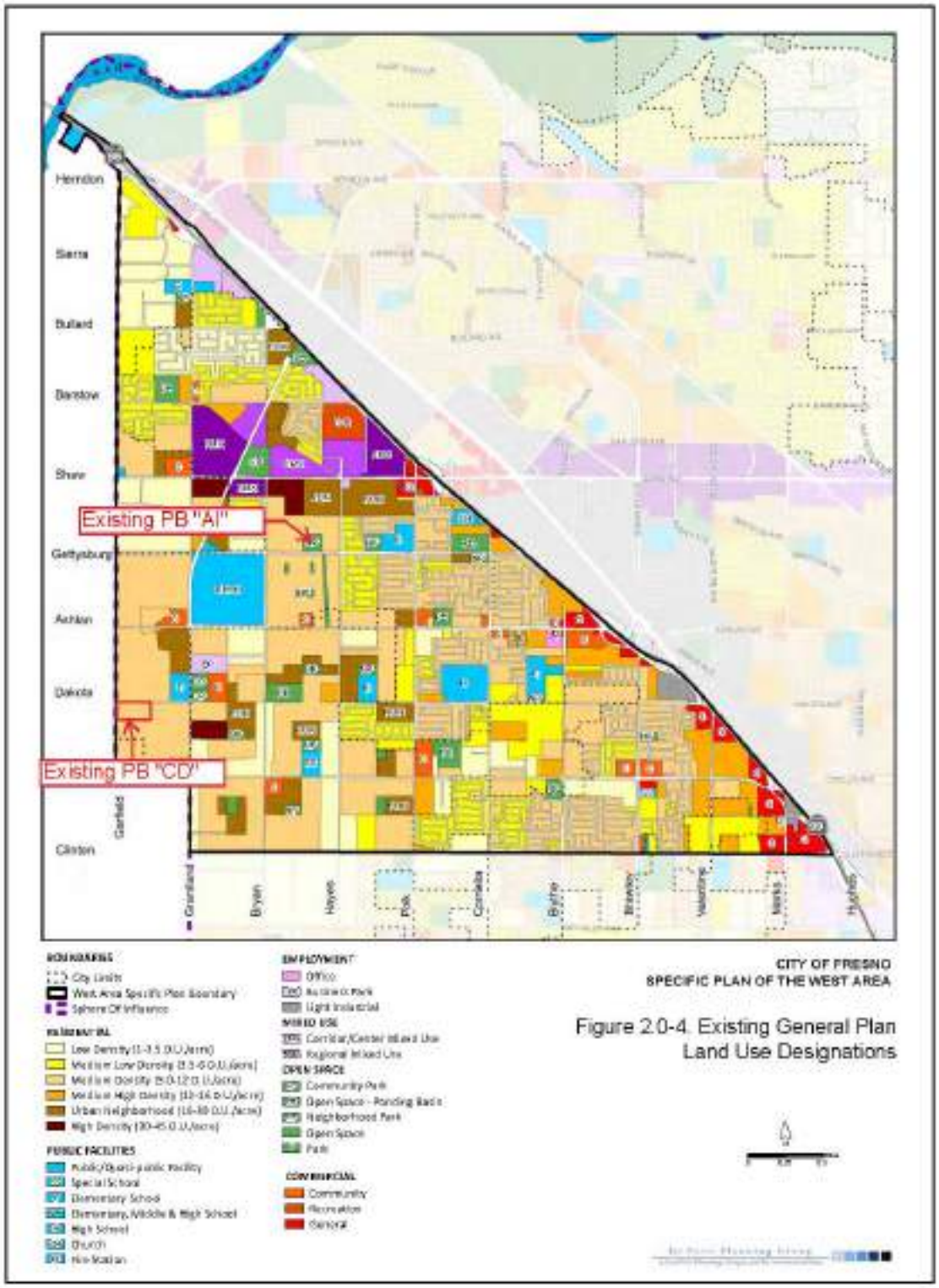
Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation
HYDROLOGY AND WATER QUALITY			
Impact 3.9-1: The Specific Plan would not violate water quality standards or waste discharge requirements during construction.	LS	None required.	--
Impact 3.9-2: The Specific Plan would not violate water quality standards or waste discharge requirements during operation.	LS	None required.	--
Impact 3.9-3: The Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LS	None required.	--
Impact 3.9-4: The Specific Plan would not alter the existing drainage pattern in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	LS	None required.	--

Mitigation may be required in areas with existing drainage facilities where land use changes increase runoff.

CC – considerably co… …nsiderable LS – less than significant

PS – potentially significant B – beneficial impact SU – significant and unavoidable


CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 3.9-2
Fresno Metropolitan Flood Control District
~~Facilities and Basins~~
Reword title to read Fresno Metropolitan Flood Control District Basin Facilities
BOUNDARIES
Specific Plan of the West Area
Fresno City Limits
Fresno Sphere of Influence
~~FMFCD FEATURES~~
FID Facilities
Basin
Remove word FMFCD. FID Facilities are not part of FMFCD Features
Facilities


Existing PB "AI"
Existing PB "CD"
Herndon
Sierra
Bullard
Barstow
Shaw
Gettysburg
Ashlan
Dakota
Clinton
Garfield
Grantland
Bryan
Hayes
Polk
Cornelia
Byrne
Brawley
Valentine
Marks
Hughes
CITY OF FRESNO
SPECIFIC PLAN OF THE WEST AREA
Figure 2.0-4 Existing General Plan Land Use Designations

1.3 RESPONSIBLE AND TRUSTEE AGENCIES

As required by CEQA, this EIR defines lead, responsible, and trustee agencies. The City of Fresno is the "Lead Agency" for the project because it holds principal responsibility for approving the project. The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California. CEQA Guidelines Section 15386 recognizes four particular trustee agencies: (a) the California Department of Fish and Wildlife with regard to the fish and wildlife of the State, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department; (b) the State Lands Commission with regard to State owned "sovereign" lands such as the beds of navigable waters and State school lands; (c) the State Department of Parks and Recreation with regard to units of the State Park System; and (d) The University of California with regard to sites within the Natural Land and Water Reserves System.

The following agencies are considered Responsible Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

The California De trustee agency with respect to the proposed pr gency, as the proposed project would not affect any state owned "sovereign" lands, any units of the State Park System, or any sites within the University of California's Natural Land and Water Reserves System.

Add: Fresno Metropolitan Flood Control District (FMFCD)

1.4 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 28, 2019 to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 24, 2019 at 6:00 p.m., at the Glacier Point Middle School Cafeteria in Fresno to present the project description to the public and interested agencies, and to receive comments

1.0 INTRODUCTION

Definitions of significance vary with the physical condition affected and the setting in which the change occurs. The CEQA Guidelines set forth physical impacts that trigger the requirement to make "mandatory findings of significance" (CEQA Guidelines §15065).

This CEQA document relies on three levels of impact significance:

1. Less-than-significant impact, for which no mitigation measures are warranted;
2. Significant impact that can be mitigated to a level that is less than significant; and,
3. Significant impact that cannot be mitigated to a level that is less than significant. Such impacts are referred to as significant and unavoidable.

Each resource area uses a distinct set of significance criteria (also referred to as "thresholds of significance" throughout the EIR). The significance criteria are identified at the beginning of the impact discussion for each resource area. These significance criteria promote consistent evaluation of impacts for all alternatives considered, even though significance criteria are necessarily different for each resource considered. When criteria for significance determinations relative to a specific environmental resource are not identified in the CEQA Guidelines, specific criteria have been developed for this Draft EIR consistent with the past pattern and practice of the City of Fresno.

1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received thirteen written comment letters on the NOP for the proposed project Draft EIR. A copy of each letter is provided in **Appendix A** of this Draft EIR. A public scoping meeting was held on July 24, 2019 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR.

1. April Henry (August 1, 2019)
2. California Department of Water Resources, Division of Safety of Dams (July 19, 2019)
3. California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (June 28, 2019)
4. Carl & Lydia Franklin (August 2, 2019)
5. Cathy Caples (August 1, 2019)
6. Central Grizzlies Youth Football & Cheer (August 2, 2019)
7. City of Fresno Transportation Dep[illegible]press (July 29, 2019)
8. Forgotten Fresno (July 17, 2019)
9. Fresno Metropolitan Flood Control District (August 1, 2019)
10. Fresno County Public Library (July 8, 2019)
11. Jeff Roberts (July 24, 2019)
12. Patricia and Clifford Upton (July 24, 2019)
13. San Joaquin Valley Air Pollution Control District (July 15, 2019)

1.8 AREAS OF CONTROVERSY

The following are topics of public concern or potential controversy that have become known to the City staff based on public input, known regional issues, and staff observations:

- Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- Fresno Irrigation District (FID);
- San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

The California Department of Fish and Wildlife will also function as a trustee agency with respect to the proposed Specific Plan. The City is unaware of any other trustee agency, as the proposed Specific Plan would not affect any state owned "sovereign" lands, any units of the State Park System, or any sites within the University of California's Natural Land and Water Reserves System.

Add Fresno Metropolitan Flood Control District (FMFCD)

precipitation is about 15 inches and the mean annual temperature is about 61 degrees F. The San Joaquin series includes but is not limited to the 'San Joaquin loam, 0-3% slopes', San Joaquin loam, shallow, 0-3% slopes', 'San Joaquin sandy loam, 0-3% slopes, MRLA 17', and 'San Joaquin sandy loam, shallow, 0-3% slopes' soils, each of which is present within the Plan Area.

Hydrogeomorphic Features

Fresno County is located in the San Joaquin River watershed. The San Joaquin River is about 300 miles long. It begins in the Sierra Nevada mountain range on California's eastern border. The river runs down the western slope of the Sierra and flows roughly northwest through the Central Valley, to where it meets the Sacramento River at the Sacramento-San Joaquin Delta, a 1,000-square-mile maze of channels and islands that drains more than 40 percent of the state's lands (SJRGA 2013).

The Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The City's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by Fresno Irrigation District (FID) and then conveyed away from the municipal area.

The City of Fresno is located in the alluvial fans of numerous foothill streams and 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. The City has hot dry summers and cool mild winters, with temperatures of mid-90°F in the summer and 60°F in the winter. The precipitation averages 11 inches per year and occurs almost entirely in the fall, winter, and spring.

Regionally, the City is protected by the U.S. Army Corps of Engineers' (Corps) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

750

Locally, the FMFCD drainage system consists of approximately 680 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the stree basin pipeline system can remove the water. In the event features of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance to move the excess runoff to the basins. The FMFCD facilities in the Plan Area are shown in Figure 3.9-2 in Section 3.9, Hydrology and Water Quality.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage ~~channels~~ within the Plan Area include:

irrigation canals owned by FID

residential, the development project shall include and provide for the maintenance of one of the following design features to provide a rural/urban buffer:

- Provide landscaping and setbacks to fully obscure the new development's buildings and fences.
- Do not include fencing, or provide only see-through fencing no greater than four feet in height between the new development and the existing property.
- Provide open space such as edible gardens, landscaped walkways, ~~or permanent on-site flood control/drainage facilities.~~
- Locate boundary streets between the new and existing developments."

Remove

These two Specific Plan policies supports conjunctive use of flood control facilities as recreational or open space amenities. The proposed Specific Plan is consistent with this Policy.

Policy POSS-5-f: Regional Mitigation and Habitat Restoration. Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.

As discussed above, the Specific Plan would not conflict with PG&E's San Joaquin Valley Operation and Maintenance HCP or the Recovery Plan for Upland Species of the San Joaquin Valley. The proposed Specific Plan is consistent with this Policy. Additionally, the mitigation measures outlined throughout the above impact discussions include guidelines for future projects to implement in order to conserve habitat and mitigate potential impacts. The City will continue to coordinate habitat restoration programs with responsible agencies in order to take advantage of opportunities for a coordinated regional mitigation program. The proposed Specific Plan is consistent with this Policy.

FRESNO MUNICIPAL CODE

Article 3, Street Trees and Parkways, of Chapter 13 of the Fresno Municipal Code contains the public tree policy, tree beautification and preservation regulations, and Special Tree List authorization. Section 13-302, Public Tree Policy, declares that the public interest and welfare require that the city maintain a program for the planting and preservation of trees on all public property in the city as a municipal affair in order to beautify the city, purify its air, and provide shade for its inhabitants. Section 13-304, Tree Beautification, establishes and defines the Master Tree Plan requirements, Parkway Tree requirements, and other requirements related to new and existing development and the provision of parkway trees. Section 13-305, Tree Preservation, outlines tree removal and maintenance requirements, tree permit conditions, and payment of fees in-lieu of replacing a removed tree. Lastly, Section 13-306, Special Tree List, outlines the Special Tree List requirements and tree removal requests for Special Trees.

There are trees located throughout the Plan Area. Any removal of these trees would be required to comply with the provisions of the Fresno Municipal Code, including Article 3, Street Trees and Parkways, of Chapter 13. This is an existing standard and regulation that is enforced by the City of Fresno during the improvement/grading plan and/or building plan phase of a project.

TABLE 3.9-3: PLAN AREA WELL CAPACITY

WELL NUMBER	PUMP HORSEPOWER	RATED CAPACITY (GPM)[1]
Well 104	125	1,500
Well 138	125	1,800
Well 169	200	2,400
Well 171-1	60	600
Well 171-2	150	1,750
Well 192	150	2,000
Well 358 (has backup power)	200	2,100
Well 364	100	1,000
Total Well Pumping Capacity (GPM)		**13,150**

NOTE: [1] PUMP CAPACITY AND BACKUP POWER INFORMATION PROVIDED BY CITY STAFF (GPM = GALLONS PER MINUTE).
SOURCE: UTILITY BACKGROUND REPORT, WEST YOST ASSOCIATES, 2022.

GROUNDWATER QUALITY

According to the Utility Background Summary completed for the Specific Plan, the Plan Area tends to have better ground water quality than the City as a whole, with only a small portion of the Plan Area (near State Route 99) having nitrates in excess of the allowable limit of 45 mg/L as NO_3 or 10 mg/L as NO_3N. Well 171-2 is the only well that requires treatment within the West Area, and uses granular activated carbon (GAC).

Drainage

The Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The City's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by Fresno Irrigation District (FID) and then conveyed away from the municipal area.

The City of Fresno is located in the alluvial fans of numerous foothill streams and 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. The City has hot dry summers and cool mild winters, with temperatures of mid-90°F in the summer and 60°F in the winter. The precipitation averages 11 inches per year and occurs almost entirely in the fall, winter, and spring.

Regionally, the City is protected by the U.S. Army Corps of Engineers' (Corps) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

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Locally, the FMFCD drainage system consists of approximately ~~680~~ miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity,

features

basin

ponding begins to occur in the streets until the pipeline syste[illegible]e the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance to move the excess runoff to the basins. The FMFCD facilities in the Plan Area are shown in Figure 3.9-2.

irrigation canals owned by FID

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runo[illegible]derlying groundwater aquifer. The local drainage service area is subdivide[illegible] areas, most of which drain to a retention basin. Drainage channels within the Plan Area include:

- East Branch Victoria Canal
- Epstein Canal
- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- Teague School Canal
- Tracy Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area. The Plan Area's storm drain system is shown on Figure 3.15-2 in Section 3.15, Utilities.

Flooding

Flooding events can result in damage to structures, injury or loss of human and animal life, exposure of waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater.

Predicted flood conditions in the vicinity of the Plan Area are shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) but are largely based on hydraulic modeling performed in 1981 (FEMA, 2016). The entire Plan Area is designated unshaded Zone X - minimal flood hazard, and would not be expected to have a flood hazard up to the level of the 0.2-percent annual chance flood. Lands designated as unshaded Zone X are outside of the Special Flood Hazard Areas. Changes to land surfaces in these areas do not trigger map revisions and no flood insurance requirements are imposed on structures in these areas. Figure 3.9-3 shows the flood boundaries, as delineated by the FEMA FIRM and USACE.

year with projected funding for

Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps. Improvements to storm drainage[illegible]d either as a part of privately funded on-site developments or as a p[illegible]t of [illegible] by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every five years.

ponding basins,

The current drainage system in the Plan Area discharges to a system of irrigation canals, ~~creeks,~~ and the San Joaquin River, but is ~~designed~~ to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer.

operated and maintained

303(D) IMPAIRED WATER BODIES

Section 303(d) of the federal Clean Water Act requires States to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

The primary surface water features within the vicinity of the Plan Area are the San Joaquin River and Millerton Lake. Both water features are considered Section 303(d) impaired waterbodies. The portion of the San Joaquin River nearest the Plan Area appears on the State Water Resources Control Board's (SWRCB's) Impaired Water Bodies/303(d) List for invasive species (non-native fish species). Millerton Lake is included on the Impaired Water Bodies/303(d) List for mercury.

3.9.2 REGULATORY SETTING

There are a number of regulatory agencies whose responsibility includes the oversight of the water resources of the State and nation (including Fresno County), including the Federal Emergency Management Agency, the US Environmental Protection Agency, the State Water Resources Control Board, and the nine Regional Water Quality Control Boards, including the Central Valley Regional Water Quality Control Board. The following is an overview of the federal, State and local regulations that are applicable to the proposed Specific Plan.

FEDERAL

Clean Water Act

The Clean Water Act (CWA), initially passed in 1972, regulates the discharge of pollutants into watersheds throughout the nation. Section 402(p) of the act establishes a framework for regulating municipal and industrial stormwater discharges under the NPDES Program. Section 402(p) requires that stormwater discharges associated with an industrial activity, a discharge from a municipal separate storm sewer system serving a population of 250,000 or more, or a discharge associated with a municipal separate storm sewer system serving a population of 100,000 or more but less than 250,000, that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by an NPDES permit.

Federal Emergency Management Agency

The City of Fresno is a participant in the National Flood Insurance Program (NFIP), a Federal program administered by FEMA. Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of

(c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

State Water Resources Control Board

The SWRCB is responsible for implementing the Clean Water Act and does so through issuing NPDES permits to cities and counties through regional water quality control boards. Federal regulations allow two permitting options for stormwater discharges (individual permits and general permits). The SWRCB elected to adopt a statewide general permit (Water Quality Order No. 2013-001-DWQ-DWQ) for small municipal separate storm sewer systems.

LOCAL

Fresno General Plan

The Fresno General Plan establishes the following policies relative to hydrology and water quality:

NOISE AND SAFETY ELEMENT

Objective NS-3: Minimize the risks to property, life, and the environment due to flooding and stormwater runoff hazards.

Policy NS-3-a: Stormwater Drainage and Flood Control Master Plan. Support the full implementation of the FMFCD Storm Drainage and Flood Control Master Plan, the completion of planned flood control and drainage system facilities, and the continued maintenance of stormwater and flood wat[illegible]ities and capacities. Work with the FMFCD to make su[illegible]d Control Master Plan is consistent with the General Pla[illegible]

drainage facilities in conjunction with City installation of curb and gutter

Policy NS-3-b: Curb and Gutter Installation. Coordinate with Fresno Metropolitan Flood Control District (FMFCD) to install ~~curbing, gutters, and other drainage facilities~~ with priority to existing neighborhoods with the greatest deficiencies and consistent with the Storm Drainage and Flood Control Master Plan.

Policy NS-3-c: Dual Use Facilities. Support multiple uses of flood control and drainage facilities as follows:

- Use, wherever practical, FMFCD facilities for groundwater management and recharge; and
- Promote recreational development of ponding basin facilities located within or near residential areas, compatible with the stormwater and groundwater recharge functions.

Policy NS-3-d: Landscaped Buffer. City will support the development of FMFCD ponding basins including the landscaping and irrigation for the top one third of the side sloped areas consistent with the FMFCD Basin Design Criteria.

Additionally, compliance with the Specific Plan policies shown below would further ensure that water quality standards or waste discharge requirements are not violated during operation of future projects in the Plan Area. For example, adequate stormwater and flooding infrastructure would be required for new development. Through compliance with the FMFCD's Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, and proposed Specific Plan policies, the proposed Specific Plan would have a ***less than significant*** impact relative to this topic.

SPECIFIC PLAN POLICIES

IPR 3.2: *Continue to evaluate Capital Improvement Programs and update them to add missing infrastructure and to meet the demand for new development.*

IPR 3.3: *Continue to set appropriate conditions of approval for each new development proposal to ensure that water resource facilities are in place prior to construction and building occupancy.*

IPR 3.4: *Continue to plan for, install, and operate recycled water systems to benefit the West Area and to support local resource conservation goals.*

Impact 3.9-3: The Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (Less than Significant)

The quantity of ground water in the San Joaquin Valley has been declining for decades, as evidenced by the substantial lowering of water levels in the aquifers. Impacts on groundwater in the Fresno area are an important consideration in any development plan. See Impact 3.15-6 in Section 3.15, Utilities, for further discussions regarding groundwater demand, groundwater supplies, groundwater recharge, and groundwater quality. Impacts related to groundwater supplies and interference with groundwater recharge are considered in two ways: (1) conversion of pervious surfaces (which allow for groundwater recharge), and (2) use of groundwater as a water supply (which reduces the amount of local groundwater supply).

GROUNDWATER RECHARGE

Future development projects in the Plan Area would result in new impervious surfaces and could reduce rainwater infiltration and groundwater recharge in those areas. Infiltration rates vary depending on the overlying soil types. In general, sandy soils have higher infiltration rates and can contribute to significant amounts of ground water recharge; clay soils tend to have lower percolation potential; and impervious surfaces such as pavement significantly reduce infiltration capacity and increase surface water runoff.

750

As noted previously, the FMFCD drainage system consists of approximately 680 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50

percent probability of occurring in any given year). The FMFCD storm drain and flood control system is designed to retain and infiltrate as much stormwater and urban runoff as p ponding basins.

The current drainage system in the Plan Area discharges to a system of irrigation canals, ~~creeks~~, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. Future development would include water quality BMPs, detention basins, and retention basins designed to minimize or eliminate increases in runoff from these new impervious surfaces entering existing surface water courses and existing storm drains. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible. Consequently, infiltration into the groundwater aquifers will be maximized to the extent possible through the storm drainage design.

Additionally, future development projects in the Plan Area may result in new rainwater infiltration and groundwater recharge with the development of new pervious surfaces and maintenance of existing pervious surfaces. The Specific Plan incorporates best practices to support sustainable development including bioswale/run-off collection and large permeable green surfaces (i.e., park and open space areas) that would reduce new impervious surfaces, rainwater infiltration, and support groundwater recharge. Future development would include storm water quality BMPs designed to minimize runoff from impervious surfaces entering existing storm drains and surface water courses. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible.

Further, the City's Recharge Fresno Program is intended to improve the pipelines and water system facilities that will capture, treat, and deliver water to Fresno homes and businesses, including surface water from the Sierra Nevada Mountains. This program has the following objectives: ensure a reliable and sustainable water supply for Fresno's present and future prosperity by increasing the available water supply; bring new, treated surface water from the Sierra Nevada Mountains to our community; improve natural and intentional groundwater recharge; maintain focus on conservation and its role in ensuring a sustainable water supply for Fresno; and ensure a safe and reliable water supply.

Future development of the Plan Area under the proposed land use plan will modify the movement of water across the land surface and the infiltration of rain water into the groundwater system. The aquifers underlying the Plan Area are impacted by several major contaminant plumes involving organic compounds, inorganic compounds, solvents, pesticides, and other contaminants. Future development projects in the Plan Area, if no means were provided to preserve infiltration of rainwater, would likely reduce net infiltration of rain water and runoff into the groundwater system and reduce the diluting effect of this fresh water supply. The net impact would be a further build-up of contaminants in the groundwater in the Kings Subbasin. However, the proposed Specific Plan would also likely decrease the amount of pesticides and other agricultural contaminants entering the groundwater from the Plan Area, due to elimination of agricultural activity in the Plan Area, including fertilizer application. Surface water quality detention basins and BMPs would also have the potential to add to groundwater contamination levels if they are not properly designed and sited. It is also noted that the City is in the process of planning and constructing a comprehensive Recycled Water System, which will include parts of the Plan Area. Many of the segments of the

to specific facilities owned and operated by

also those of these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

In short, SGMA is landmark legislation that, for the first time in the history of California, requires comprehensive groundwater management, with the mandatory goal of bringing all currently overdrafted basins into sustainable conditions by no later than 2040 or 2042, with five-year increments of progress starting in 2025 and 2027.

As noted previously, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The City of Fresno falls within the NKGSA. As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA finalized the GSP and submitted it to the California DWR on January 28, 2020, ahead of the January 31, 2020 mandate. The FARGMP is discussed below.

GROUNDWATER MANAGEMENT PLAN

As noted previously, the FARGMP was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006. The City of Fresno falls within the NKGSA. As a high priority basin, the Kings Subbasin must be managed under a GSP by January 31, 2020. The NKGSA completed the GSP on January 28, 2020.

As discussed above, the Specific Plan would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Plan may impede sustainable groundwater management of the basin. The Specific Plan includes park, open space, and ponding basin areas which would allow for infiltration of groundwater on-site. Existing City and FMFCD regulations require development in the Plan Area to address water quality and changes to the drainage pattern through BMPs and low impact development (LID) measures. LID measures and strategies can be used to meet the FMFCD's development standards and include use of bioretention/infiltration landscape areas, disconnected hydrologic flow paths, reduced impervious areas, functional landscaping, and grading to maintain natural hydrologic functions that existed prior to development, such as interception, shallow surface storage, infiltration, evapotranspiration, and groundwater recharge. Further, Recharge Fresno, a City program to improve the pipelines and water system facilities that will capture, treat and deliver water to Fresno homes and businesses, including surface water from the Sierra Nevada Mountains. Groundwater-related objectives of Recharge Fresno include: improve natural and intentional groundwater recharge, maintain focus on conservation and its role in ensuring a sustainable water supply for Fresno, and ensure a safe and reliable water supply.. These guiding documents and requirements would ensure that stormwater quality treatment measures are implemented and maintained throughout the life of the Specific Plan.

The Kings Subbasin is not adjudicated and there are no legal restrictions to groundwater pumping. The Kings Subbasin is generally bounded: on the north by the San Joaquin River; on the west by the Fresno Slough; on the south by the Kings River and Cottonwood Creek; and on the east by the Sierra foothills. The upper several hundred feet within the Kings Subbasin generally consists of highly permeable, coarse-grained deposits, which are termed older alluvium. Coarse-grained stream channel deposits, associated with deposits by the ancestral San Joaquin and Kings Rivers, underlie much of the northwest portions of the City. Below the older alluvium to depths ranging from about 600 to 1,200 feet below ground surface, the finer-grained sediments of the Tertiary-Quaternary continental deposits are typically encountered. Substantial groundwater has been produced and utilized from these depths by the City; however, deeper deposits located in the southeastern and northern portions of the City have produced less groundwater. There are also reduced deposits in the northern and eastern portions of the City, at depths generally below 700 or 800 feet, which are associated with high concentrations of iron, manganese, arsenic, hydrogen sulfide, and methane gas. Groundwater at these depths does not generally provide a significant source for municipal supply wells. The City's average groundwater depth in 2015 is approximately 130 feet below the ground surface.

Conditions of Overdraft: The Sustainable Groundwater Management Act (SGMA) directs DWR to identify groundwater basins and subbasins that are in conditions of critical overdraft. This designation is determined based upon the presence of "undesirable impacts" such as seawater intrusion, land subsidence, groundwater depletion, and chronic lowering of groundwater levels. Per DWR's current list of critically overdrafted basins, finalized in February 2019, the Kings Subbasin is designated as a critically overdrafted basin.

As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priori

to specific facilities owned and operated by

The City has long made efforts toward offsetting the decli and minimizing overdraft conditions through an active intentional recharg 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also those of these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

Groundwater Management: As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the Fresno Area Regional Groundwater Management Plan (FARGMP) was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to monitor, protect, and sustain groundwater within the region. The City of Fresno and the other participating agencies subsequently adopted the groundwater management plan in 2006 (City of Fresno 2020 UWMP). The City of Fresno falls within the North Kings Groundwater Sustainability Agency (NKGSA). The NKGSA prepared and submitted

3.15.3 STORMWATER

EXISTING SETTING

Storm Drain System

The FMFCD has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The City's stormwater drains to urban stormwater basins, where it is retained for groundwater recharge or pumped to local irrigation canals owned by FID and then conveyed away from the municipal area.

Regionally, the City is protected by the U.S. Army Corps of Engineers' (USACE) Redbank-Fancher Creeks Flood Control Project. This project includes dams, detention basins, and levees designed to control upstream flood flows to approximately the 200-year storm event. Major facilities of this project include levee systems, the Big Dry Creek, Fancher Creek, and Redbank Creek dams and reservoirs, and the Alluvial Drain, Redbank Creek, Pup Creek, Fancher Creek, Big Dry Creek, Pup Creek Enterprise, and Dry Creek Extension detention basins.

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Locally, the District's drainage system consists of approximately ~~630~~ miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year i[illegible] features ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the District has planned for streets or other conveyance to move the excess runoff to the basins.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much n[illegible] irrigation canals owned by FID underlying groundwater aquifer. The local drainage service area is subdiv[illegible]ge areas, most of which drain to a retention basin. Drainage ~~channels~~ within the Plan Area include:

- East Branch Victoria Canal
- Epstein Canal
- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- Teague School Canal
- Tracy Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The Plan Area is drained by 15 drainage watersheds, six of which are fully within the Plan Area, and nine of which drain to areas immediately south or west of the Plan Area. There are seven existing retention basins within the Plan Area and an additional five that serve the Plan Area. An additional basin is planned to serve the drainage shed in the far southwestern corner of the Plan Area.

Floodplain Mapping

Flood Hazards in the City are described in the Federal Emergency Management Agency (FEMA)'s January 20, 2016 Flood Insurance Study but are largely based on hydraulic modeling performed in

3.15 UTILITIES

1981. Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps.

Improvements to storm drainage fa[illegible] either as a part of privately funded on-site developments or as a part of [illegible] by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every 5 years.

year with projected funding for

Climate change is likely to increase the volume, frequency, and intensity of events in the future in the Central Valley.

REGULATORY SETTING – STORMWATER

The following is an overview of the federal, State and local regulations related to stormwater that are applicable to the proposed Specific Plan.

Federal

CLEAN WATER ACT

The Clean Water Act (CWA) regulates the water quality of all discharges into waters of the United States including wetlands, perennial and intermittent stream channels. Section 401, Title 33, Section 1341 (also known as Section 401) of the CWA sets forth water quality certification requirements for "any applicant applying for a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters." Section 404, Title 33, Section 1344 (also known as Section 404) of the CWA in part authorizes the U.S. Army Corps of Engineers to:

- Set requirements and standards pertaining to such discharges: subparagraph (e);
- Issue permits "for the discharge of dredged or fill material into the navigable waters at specified disposal sites": subparagraph (a);
- Specify the disposal sites for such permits: subparagraph (b);
- Deny or restrict the use of specified disposal sites if "the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies and fishery areas": subparagraph (c);
- Specify type of and conditions for non-prohibited discharges: subparagraph (f);
- Provide for individual State or interstate compact administration of general permit programs: subparagraphs (g), (h), and (j);
- Withdraw approval of such State or interstate permit programs: subparagraph (i);
- Ensure public availability of permits and permit applications: subparagraph (o);
- Exempt certain Federal or State projects from regulation under this Section: subparagraph (r); and,
- Determine conditions and penalties for violation of permit conditions or limitations: subparagraph (s).

Objective POSS-3: Ensure that park and recreational facilities make the most efficient use of land; that they are designed and managed to provide for the entire Fresno community; and that they represent positive examples of design and energy conservation.

Policy POSS-3-i: Joint Use with Drainage Facilities. Continue to seek joint use agreements for use of FMFCD stormwater drainage facilities.

Objective POSS-6: Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.

Policy POSS-6-b: Effects of Stormwater Discharge. Support efforts to identify and mitigate cumulative adverse effects on aquatic life from stormwater discharge to the San Joaquin River.

- Avoid discharge of runoff from urban uses to the San Joaquin River or other riparian corridors.
- Approve development on sites having drainage (directly or indirectly) to the San Joaquin River or other riparian areas only upon a finding that adequate measures for preventing pollution of natural bodies of water from their runoff will be implemented.
- Periodically monitor water quality and sediments near drainage outfalls to riparian areas. Institute remedial measures promptly if unacceptable levels of contaminant(s) occur.

Objective PU-7: Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

Policy POSS-7-b: Reduce Stormwater Leakage. Reduce storm water infiltration into the sewer collection system, where feasible, through a program of replacing old and deteriorated sewer collection pipeline; eliminating existing stormwater sewer cut-ins to the sanitary sewer system; and avoiding any new sewer cut-ins except when required to protect health and safety.

Objective NS-3: Minimize the risks to property, life, and the environment due to flooding and stormwater runoff hazards.

Policy NS-3-a: Stormwater Drainage and Flood Control Master Plan. Support the full implementation of the FMFCD Storm Drainage and Flood Control Master Plan, the completion of planned flood control and drainage system facilities, and the continued maintenance of stormwater and flood water retention and [illegible] capacities. Work with the FMFCD to make sure that its Storm Drainage Master Plan is consistent with the General Plan.

drainage facilities in conjunction with City installation of curb and gutter

Policy NS-3-b: Curb and Gutter Installation. Coordinate with Fresno Metropolitan Flood Control District (FMFCD) to install curbing, gutters, and other drainage facilities with priority

cumulative setting is based on Fresno County, which is located in the Tulare Lake Hydrological Region.

Impact 4.9: Cumulative impacts related to hydrology and water quality. (Less than Cumulatively Considerable)

Construction of the individual development projects allowed under the land use designations of the proposed Specific Plan has the potential to result in construction-related water quality impacts, impacts to groundwater recharge, and cause flooding, erosion, or siltation from the alteration of drainage patterns.

Stormwater Runoff

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Implementation of the Specific Plan would increase the amount of impervious surfaces in the Plan Area, which, without intervention, could increase peak stormwater runoff rates and volumes on and downstream of the Plan Area. The entire Plan Area is within the Fresno Metropolitan Flood Control District's urban flood control system consisting of 158 drainage areas, each 1 to 2 square miles in area. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants as construction activities. Additionally, due to future development and infrastructure projects, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contributed to bank erosion.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering ditches and storm drains designed in conformance to FMFCD standards.

Design and construction of flood control improvements to the satisfaction of the FMFCD would ensure there is adequate storage capacity for the additional stormwater runoff generated from the buildout of the Specific Plan. Future development within the Plan Area, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans

year with projected funding for

site developments of a[illegible]n, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every five years.

The Plan Area includes an extensive system of on-site stormwater collection, treatment and retention facilities to accommodate the increased stormwater flows that originate in the Plan Area. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains.

As discussed in Impact 3.9-6, the Plan Area is approximately 105 miles from the coast and is not adjacent to any lakes; thus, the Plan Area is not at risk for tsunami or seiche events. Additionally, as shown on Figure 3.9-3, the entire Plan Area is designated unshaded Zone X - minimal flood hazard, and would not be expected to have a flood hazard up to the level of the 0.2-percent annual chance flood. Lands designated as unshaded Zone X are outside of the Special Flood Hazard Areas. Changes to land surfaces in these areas do not trigger map revisions and no flood insurance requirements are imposed on structures in these areas.

No other parts of the Specific Plan Area are designated as flood prone, and there are no impacts to regulatory floodways or Special Flood Hazard Areas (Zone A or AE) as defined by FEMA. Provided future storm drain system and detention/retention facilities that would be installed as part of future development are adequately sized and properly installed and maintained, flooding will not be induced by the proposed Specific Plan. Therefore, the Specific Plan is not at risk of the 1-percent annual chance flood.

The proposed Specific Plan, when considered alongside all past, present, and probable future projects (inclusive of buildout of the various General Plans within Fresno County), would not be expected to cause any significant cumulative impacts given that existing City and FMFCD regulations require designs that ensure structures are outside the base flood elevation and that storm water flows are maintained to prevent downstream flooding. The proposed Specific Plan would not have cumulatively considerable impacts associated with flooding.

Conclusion

Construction of the individual development projects allowed under the land use designations of the proposed General Plan has the potential to result in construction-related water quality impacts, impacts to groundwater recharge, and cause flooding, erosion, or siltation from the alteration of drainage patterns.

While some cumulative impacts will occur in the region as individual projects are constructed, the existing General Plan policies and actions, as well as State and Federal regulations, will substantially reduce the impacts. Additionally, future projects under the Specific Plan would be required to design storm drain facilities to the satisfaction of the FMFCD to ensure each project provides adequate storage capacity for the additional stormwater runoff generated. Considering the protection granted by local, State, and Federal agencies and their permit and monitoring requirements, as discussed in

6.1.2.2 Basin Description

The City's wells are located within the northern part of the Kings Subbasin of the San Joaquin Valley Groundwater Basin. The following section describes the Kings Subbasin, including its water-bearing formations, water levels, and water quality. Much of the following information has been incorporated from the City's 2020 UWMP. Except where noted, the description of the sub-basin is based largely on information provided in the 2016 Department of Water Resources (DWR) Bulletin 118 Interim Update, in which the groundwater basin description was last updated in December 2016.

The Kings Subbasin is not adjudicated and there are no legal restrictions to groundwater pumping. The Kings Subbasin is generally bounded: on the north by the San Joaquin River; on the west by the Fresno Slough; on the south by the Kings River and Cottonwood Creek; and on the east by the Sierra foothills. The upper several hundred feet within the Kings Subbasin generally consists of highly permeable, coarse-grained deposits, which are termed older alluvium. Coarse-grained stream channel deposits, associated with deposits by the ancestral San Joaquin and Kings Rivers, underlie much of the northwest portions of the City. Below the older alluvium to depths ranging from about 600 to 1,200 feet below ground surface, the finer-grained sediments of the Tertiary-Quaternary continental deposits are typically encountered. Substantial groundwater has been produced and utilized from these depths by the City; however, deeper deposits located in the southeastern and northern portions of the City have produced less groundwater. There are also reduced deposits in the northern and eastern portions of the City, at depths generally below 700 or 800 feet, which are associated with high concentrations of iron, manganese, arsenic, hydrogen sulfide, and methane gas. Groundwater at these depths does not generally provide a significant source for municipal supply wells. The City's average groundwater depth in 2015 is approximately 130 below the ground surface.

6.1.2.3 Conditions of Overdraft

The Sustainable Groundwater Management Act (SGMA) directs DWR to identify groundwater basins and subbasins that are in conditions of critical overdraft. This designation is determined based upon the presence of "undesirable impacts" such as seawater intrusion, land subsidence, groundwater depletion, and chronic lowering of groundwater levels. Per DWR's current list of critically overdrafted basins, finalized in February 2019, the Kings Subbasin is designated as a critically overdrafted basin.

As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priority subbasin (DWR, 20

to specific facilities owned and operated by

The City has long made efforts toward offsetting the decline of [illegible] and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also those of these two agencies. The City has averaged over 60,000 af/yr the previous five years and plans to gradually increase recharge by about 540 af/yr each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

6.1.2.4 Groundwater Management

As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the Fresno Area Regional Groundwater Management Plan (FARGMP) was prepared in conformance with AB 3030 and SB 1938. The objectives of the FARGMP have been developed to

Response to Letter H: Fresno Metropolitan Flood Control District

Response H-1: The commenter states that the Fresno Metropolitan Flood Control District (FMFCD) has adopted storm drainage Master Plan systems for the areas located within the West Area Neighborhoods Specific Plan, which are based on the previously adopted General Plan and Specific Plan land uses. The commenter also states the following: "As noted in FMFCD's prior letter dated August 1, 2019, in Master Plan areas where no drainage facilities have been constructed, the Master Plan can be revised to accommodate new land uses and pipe alignments within the Plan Area. For areas that have existing drainage facilities and propose changes to land uses that generate more runoff than originally planned, some type of mitigation to accommodate the increased flow such as parallel pipes and/or on-site retention may be required. FMFCD also previously identified properties within the Plan Area that may require some form of mitigation. Additional properties have been identified due to revisions of the Plan Area land uses shown on Figure 2.0-7 and all properties requiring mitigation are shown on the attached Exhibit No. 1.

Please see Response H-2 regarding increased flows resulting from future development of the Plan Area.

Response H-2: The commenter states the following: "Page ES-29, Impact Number 3.9-4: Include mitigation may be required in areas with existing drainage facilities where land use changes increase runoff."

Impacts associated with operational runoff are discussed in Section 3.9, Hydrology and Water Quality, of the Draft EIR. See pages 3.9-19 through 3.9-22. As discussed, "The majority of development allowed under the Specific Plan would be within areas currently developed with urban uses, and the amount and type of runoff generated by various future development and infrastructure projects would be similar to existing conditions. However, new development and infrastructure projects on lands that are used for agricultural operations, or are vacant and undeveloped, have the potential to result in increases in the amount of impervious surfaces throughout the Plan Area. The undeveloped and underdeveloped lands which do not contain impervious surfaces are scattered throughout the Plan Area, but are mainly located along the western and southern fringes. Future increases in impervious surfaces would result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscaped areas. These constituents could result in water quality impacts to onsite and offsite drainage flows to area waterways."

Additionally, as discussed on page 3.9-20, "Due to future development and implementation of new infrastructure anticipated by the Specific Plan, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the FMFCD drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contribute to bank erosion. Each future

development and infrastructure project is required to prepare a detailed project specific drainage plan and a SWPPP that will control storm water runoff and erosion, both during and after construction. If the project involves the discharge into surface waters, the project proponent will need to acquire a Dewatering permit, NPDES permit, and Waste Discharge permit from the CVRWQCB."

In order to address runoff resulting from future development of the Plan Area, the City is required to implement a range of measures and procedures when reviewing new development and infrastructure projects. For example, Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control, of the Fresno Municipal Code establishes provisions regarding stormwater discharges. The purpose and intent of Article 7 is to ensure the health, safety, and general welfare of residents, and to protect the water quality of surface water and groundwater resources in a manner pursuant to and consistent with the Federal CWA by reducing pollutants in urban stormwater, discharges to the maximum extent practicable, and by effectively prohibiting non-stormwater discharges to the storm drain system. Further, the grading plan check process is a review process that requires anyone who develops property:

1. Properly grade their property in accordance with the CBC.
2. Submit a grading plan showing the proposed grading of the development.
3. Obtain approval of the FMFCD indicating conformance of the grading plan with the Storm Drainage Master Plan.
4. Obtain coverage under the NPDES Construction General Permit and comply with the requirements of the permit, including developing an erosion control site plan.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering ditches and storm drains designed in conformance to FMFCD standards.

It is also noted that the proposed Specific Plan includes policies which would further ensure that water quality standards or waste discharge requirements are not violated

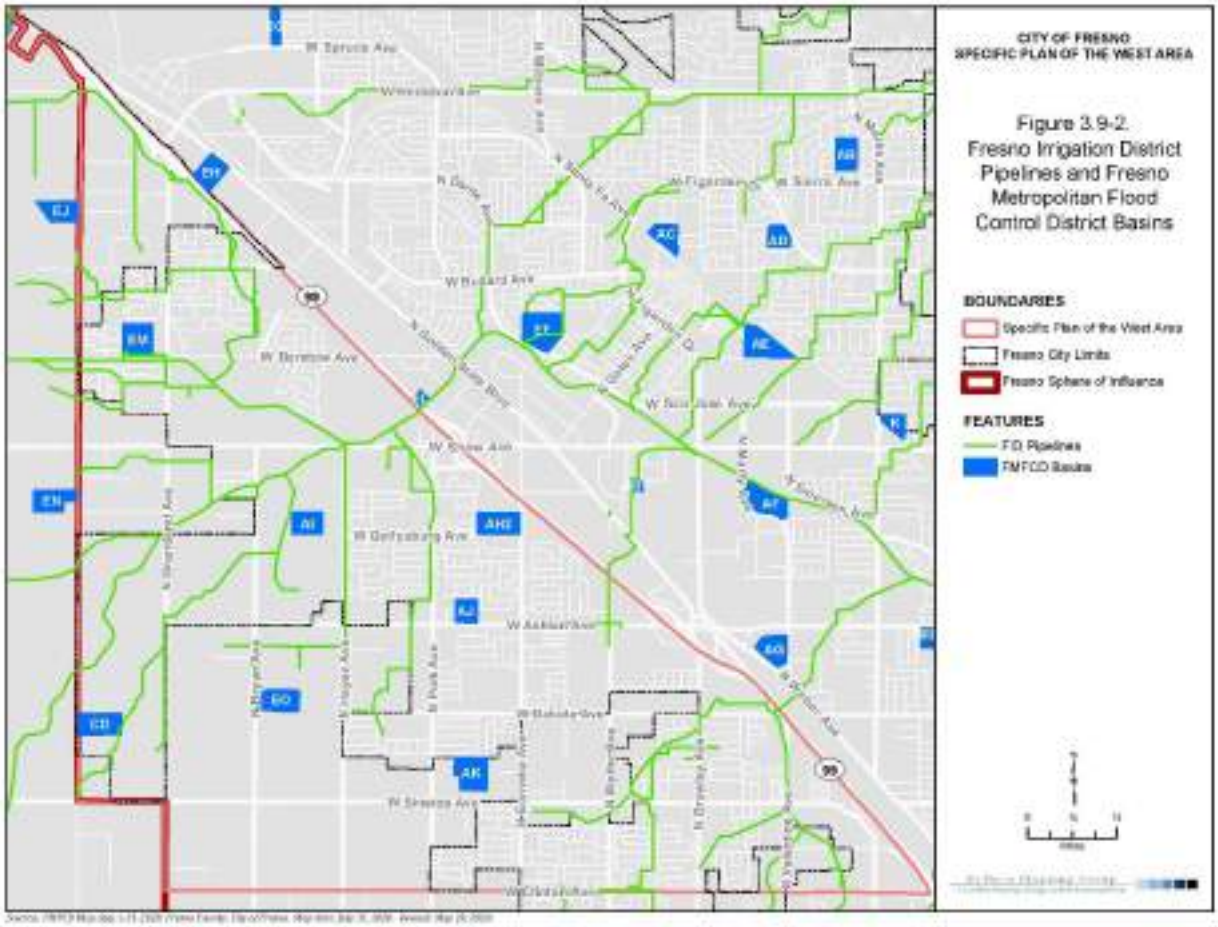
during operation of future projects in the Plan Area. For example, adequate stormwater and flooding infrastructure would be required for new development. Through compliance with the FMFCD's Storm Water Quality Management Plan, City General Plan policies, City Municipal Code requirements, and proposed Specific Plan policies, the proposed Specific Plan would have a less than significant impact relative to operational runoff. As such, mitigation is not required.

Response H-3: The commenter states the following: "Figure 2.0-4: While we understand basin designations may not be able to change, we wish to point out existing Basin 'CD' needs to be added and Basin 'AI' should be designed as a ponding basin not neighborhood park."

This comment is noted. The comment pertains to the existing General Plan land use map. The proposed Specific Plan land use map alleviates the concerns noted in this comment. As such, the proposed Specific Plan land use map correctly reflects Basin CD and Basin AI.

Response H-4: The commenter states the following: "Page TOC-6 and 3.9-33 (Figure 3.9-2): The title should read 'Fresno Metropolitan Flood Control District Basin Facilities'. No additional FMFCD facilities such as pipelines are shown other than basins. Remove FMFCD from 'FMFCD Features'. FID facilities are not part of FMFCD facilities."

This figure was revised to differentiate between FID pipelines and FMFCD facilities. See Chapter 3.0 of this Final EIR for the revision; the final version of this revised figure is reproduced below:



Response H-5: The commenter states the following: "Page 1.0-5: Include FMFCD as Responsible and Trustee Agency."

This revision has been made to Chapter 1.0, Introduction, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> The following agencies are considered Responsible Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:
>
> - California Department of Fish and Wildlife (CDFW);
> - California Department of Transportation (Caltrans);
> - Fresno Metropolitan Flood Control District (FMFCD);
> - Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
> - San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;

- Central Unified School District – Approval of school sites.

Response H-6: The commenter states the following: "Page 1.0-10; Paragraph 1.7-Item 9: Floor should be corrected to say Flood."

This revision has been made to Chapter 1.0, Introduction, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> The City received thirteen written comment letters on the NOP for the proposed project Draft EIR. A copy of each letter is provided in **Appendix A** of this Draft EIR. A public scoping meeting was held on July 24, 2019 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR.
>
> 1. April Henry (August 1, 2019)
> 2. California Department of Water Resources, Division of Safety of Dams (July 19, 2019)
> 3. California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (June 28, 2019)
> 4. Carl & Lydia Franklin (August 2, 2019)
> 5. Cathy Caples (August 1, 2019)
> 6. Central Grizzlies Youth Football & Cheer (August 2, 2019)
> 7. City of Fresno Transportation Department, Fresno Area Express (July 29, 2019)
> 8. Forgotten Fresno (July 17, 2019)
> 9. Fresno Metropolitan ~~Floor~~ Flood Control District (August 1, 2019)
> 10. Fresno County Public Library (July 8, 2019)
> 11. Jeff Roberts (July 24, 2019)
> 12. Patricia and Clifford Upton (July 24, 2019)
> 13. San Joaquin Valley Air Pollution Control District (July 15, 2019)

Response H-7: The commenter states the following: "Page 2.0-15: Include FMFCD as Responsible and Trustee Agency."

This revision has been made to Chapter 2.0, Project Description, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> The following agencies are considered Responsible Agencies for this Specific Plan, and may be required to issue permits or approve certain aspects of the proposed Specific Plan:
>
> - California Department of Fish and Wildlife (CDFW);
> - California Department of Transportation (Caltrans);
> - Fresno Metropolitan Flood Control District (FMFCD);
> - ~~—~~
> - Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
> - ~~Fresno Irrigation District (FID);~~
> - San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;

- Central Unified School District – Approval of school sites.

Response H-8: The commenter states the following: "Page 3.4-9; Paragraph 6: Update '680' to '750' miles. Revise last two sentences to include additional language such as 'features' and 'basins'. I.e. 'the FMFCD has planned for streets or other conveyance to move the excess runoff to the basins' should read 'the FMFCD has planned streets or other conveyance features to move excess runoff to the basins' and 'The FMFCD facilities in the Plan Area' should read 'The FMFCD basin facilities in the Plan Area'."

These revisions have been made to Section 3.4, Biological Resources, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2 in Section 3.9, Hydrology and Water Quality.

Response H-9: The commenter states the following: "Page 3.4-9; Paragraph 7: 'Drainage channels within the Plan Area include' should remove the word channels and be corrected to say 'Drainage irrigation canals owned by FID within the Plan Area include'."

This revision has been made to Section 3.4, Biological Resources, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below: '

> The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage ~~channels~~ irrigation canals owned by FID within the Plan Area include:

Response H-10: The commenter states the following: "Page 3.4-44: Remove the sentence 'or permanent flood control/drainage facilities'. On-site 'flood control' facilities, i.e. 'permanent basins' will not be substituted for purpose of FMFCD basins or eliminate the need for payment of a drainage fee."

This revision has been made to Section 3.4, Biological Resources, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> **Policy POSS-5-e:** Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.
>
> The Specific Plan includes two policies which address flood protection and design. Policy IPR 2.9 states, "Plant locally appropriate, drought-tolerant landscaping and, where

possible, incorporate designs that can contribute to groundwater recharge, flood protection, and reduced urban heat island effects." Policy LUH 5.1 states, "Update the Development Code so that when land proposed for urban development abuts active farmland, planned farmland, or rural residential, the development project shall include and provide for the maintenance of one of the following design features to provide a rural/urban buffer:

- Provide landscaping and setbacks to fully obscure the new development's buildings and fences.
- Do not include fencing, or provide only see-through fencing no greater than four feet in height between the new development and the existing property.
- Provide open space such as edible gardens, landscaped walkways, or ~~permanent on-site flood control/drainage facilities~~rain gardens.
- Locate boundary streets between the new and existing developments."

It is noted that the City has opted to add "rain gardens" to this Specific Plan policy in place of the suggested deletion.

Response H-11: The commenter states the following: "Page 3.9-6 and 3.9-7: Correct content to reflect same comments in Item 7 and 8 above."

These revisions have been made to Section 3.9, Hydrology and Water Quality, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2. Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2.

Response H-12: The commenter states the following: "Page 3.9-7: Correct last sentence 'capital improvement plan update every five years.' to say 'capital improvement plan update every year with projected funding for five years'."

This revision has been made to Section 3.9, Hydrology and Water Quality, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years.

Response H-13: The commenter states the following: "Page 3.9-9; Paragraph 1: Revise first sentence 'The current drainage system in the Plan Area discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying ground water aquifer.' to read 'the current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, and the San Joaquin River, but is operated and maintained to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer'."

This revision has been made to Section 3.9, Hydrology and Water Quality, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage ~~channels~~ irrigation canals owned by FID within the Plan Area include:
>
> - East Branch Victoria Canal
> - Epstein Canal
> - Herndon Canal
> - Minor Thornton Ditch
> - Silvia Ditch
> - Teague School Canal
> - Tracy Ditch
> - West Branch Victoria Canal
> - Wheaton Ditch
> - Austin Ditch

Response H-14: The commenter states the following: "Page 3.9-12: Revise Policy NS-3-b: '(FMFCD) to install curbing, gutters, and other drainage facilities….' to read '(FMFCD) to install drainage facilities in conjunction with City installation of curb and gutter…..'."

This suggested revision to Policy NS-3-b on page 3.9-12 of Section 3.9, Hydrology and Water Quality, was not made because the text in question is a City General Plan Policy. The Policy in question, which is quoted in the Draft EIR on page 3.9-12, is accurately cited. As such, no revision is warranted.

Response H-15: The commenter states the following: "Page 3.9-22 and 3.9-23: Correct content to reflect same comments as Numbers 7 and 12 above."

These revisions have been made to Section 3.9, Hydrology and Water Quality, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

The following changes were made to pages 3.9-6 and 3.9-7 of Section 3.9 of the Draft EIR:

Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2.

The following changes were made to page 3.9-9 of Section 3.9 of the Draft EIR:

The current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, ~~creeks,~~ and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer.

303(D) IMPAIRED WATER BODIES

Section 303(d) of the federal Clean Water Act requires States to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

Response H-16: The commenter states the following: "Pages 3.9-25, 3.15-15, 23-6.1.2.3 of West Yost document: Revise sentence 'but also those of these two agencies' to read 'but also to specific facilities owned and operated by these two agencies'."

These revisions have been made to Section 3.9, Hydrology and Water Quality, and Section 3.15, Utilities and Service Systems, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

The following change was made to pages 3.9-24 and 3.9-25 of Section 3.9 of the Draft EIR:

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with FMFCD and FID, the City has access to not only City-owned basins, but also ~~those of~~to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

The following change was made to page 3.15-15 of Section 3.15 the Draft EIR:

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that

started in 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also ~~those of~~to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

The Water Supply Assessment was also revised, as shown:

6.1.2.2 Basin Description

The City's wells are located within the northern part of the Kings Subbasin of the San Joaquin Valley Groundwater Basin. The following section describes the Kings Subbasin, including its water-bearing formations, water levels, and water quality. Much of the following information has been incorporated from the City's 2020 UWMP. Except where noted, the description of the sub-basin is based largely on information provided in the 2016 Department of Water Resources (DWR) Bulletin 118 Interim Update, in which the groundwater basin description was last updated in December 2016.

The Kings Subbasin is not adjudicated and there are no legal restrictions to groundwater pumping. The Kings Subbasin is generally bounded: on the north by the San Joaquin River; on the west by the Fresno Slough; on the south by the Kings River and Cottonwood Creek; and on the east by the Sierra foothills. The upper several hundred feet within the Kings Subbasin generally consists of highly permeable, coarse-grained deposits, which are termed older alluvium. Coarse-grained stream channel deposits, associated with deposits by the ancestral San Joaquin and Kings Rivers, underlie much of the northwest portions of the City. Below the older alluvium to depths ranging from about 600 to 1,200 feet below ground surface, the finer-grained sediments of the Tertiary-Quaternary continental deposits are typically encountered. Substantial groundwater has been produced and utilized from these depths by the City; however, deeper deposits located in the southeastern and northern portions of the City have produced less groundwater. There are also reduced deposits in the northern and eastern portions of the City, at depths generally below 700 or 800 feet, which are associated with high concentrations of iron, manganese, arsenic, hydrogen sulfide, and methane gas. Groundwater at these depths does not generally provide a significant source for municipal supply wells. The City's average groundwater depth in 2015 is approximately 130 below the ground surface.

6.1.2.3 Conditions of Overdraft

The Sustainable Groundwater Management Act (SGMA) directs DWR to identify groundwater basins and subbasins that are in conditions of critical overdraft. This designation is determined based upon the presence of 'undesirable impacts' such as seawater intrusion, land subsidence, groundwater depletion, and chronic lowering of groundwater levels. Per DWR's current list of critically overdrafted basins, finalized in February 2019, the Kings Subbasin is designated as a critically overdrafted basin.

As part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR is required to prioritize California groundwater basins to help identify, evaluate, and determine the need for additional groundwater level monitoring. Per the current CASGEM draft prioritization, completed in April 2019, the Kings Subbasin is a high priority subbasin (DWR, 2019).

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also to specific facilities owned and operated by these two agencies~~but also those of these two agencies~~. The City has averaged over 60,000 af/yr the previous five years and plans to gradually increase recharge by about 540 af/yr each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

6.1.2.4 Groundwater Management

As part of a partnership of local municipal water purveyors, irrigation districts, a flood control district, and the overlying county, the Fresno Area Regional Groundwater Management Plan (FARGMP) was prepared

Response H-17: The commenter states the following: "Page 3.15-27: Correct context to reflect same comments as Numbers 7 and 8 above."

These revisions have been made to Section 3.15, Utilities and Service Systems, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revisions, which are reproduced below:

> Locally, the District's drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the District has planned for streets or other conveyance facilities to move the excess runoff to the basins.

Response H-18: The commenter states the following: "Page 3.15-28: Correct second paragraph context to reflect same comments as Number 11 above."

This revision has been made to Section 3.15, Utilities and Service Systems, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

> **Floodplain Mapping**
>
> Flood Hazards in the City are described in the Federal Emergency Management Agency (FEMA)'s January 20, 2016 Flood Insurance Study but are largely based on hydraulic modeling performed in 1981. Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps.
>
> Improvements to storm drainage facilities are accomplished either as a part of privately funded
> on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five ~~5~~ years.
>
> Climate change is likely to increase the volume, frequency, and intensity of events in the future in the Central Valley.

Response H-19: The commenter states the following: "Page 3.15-33-34: Revise Policy NS-3-b: correct context to reflect same comments as Number 13 above."

Please see Response H-14.

Response H-20: The commenter states the following: "Page 4.0-15; First paragraph: 158 should be corrected to say 165."

This revision has been made to Chapter 4.0, Other CEQA-Required Topics, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

Stormwater Runoff

Implementation of the Specific Plan would increase the amount of impervious surfaces in the Plan Area, which, without intervention, could increase peak stormwater runoff rates and volumes on and downstream of the Plan Area. The entire Plan Area is within the Fresno Metropolitan Flood Control District's urban flood control system consisting of ~~158~~ 165 drainage areas, each 1 to 2 square miles in area. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants as construction activities. Additionally, due to future development and infrastructure projects, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contributed to bank erosion.

Response H-21: The commenter states the following: "Page 4.0-18: Correct second paragraph context to reflect same as Number 11 above."

This revision has been made to Chapter 4.0, Other CEQA-Required Topics, of the Draft EIR. See Chapter 3.0 of this Final EIR for the revision, which is reproduced below:

Stormwater Runoff

Implementation of the Specific Plan would increase the amount of impervious surfaces in the Plan Area, which, without intervention, could increase peak stormwater runoff rates and volumes on and downstream of the Plan Area. The entire Plan Area is within the Fresno Metropolitan Flood Control District's urban flood control system consisting of ~~158~~ 165 drainage areas, each 1 to 2 square miles in area. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants as construction activities. Additionally, due to future development and infrastructure projects, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contributed to bank erosion.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also

reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering ditches and storm drains designed in conformance to FMFCD standards.

Response H-22: The commenter states the following: "Proposed land uses vary substantially in density between plan alternates which can effect system size. FMFCD shall be notified when an alternate is chosen and/or changes are made to the proposed land uses."

This comment is noted. The City will consult with the FMFCD as future development projects in the Plan Area are brought forward, as applicable.

Response H-23: The commenter states the following: "The City of Fresno, FMFCD, the County of Fresno, the City of Clovis, and the California State University, Fresno are currently covered as Co-Permittees for Municipal Separate Storm Sewer System (MS4) discharges through National Pollutant Discharge Elimination System (NPDES) General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) effective May 17, 2018. The previous Storm Water Permit adopted on May 31, 2013 required the adoption of Stormwater Quality Management Program (SWQMP) that describes the Storm Water Permit implementation actions and Co-Permittee responsibilities. That SWQMP was approved by the Central Valley Regional Water Quality Control Board on April 17, 2015 and is effective until adoption of a new SWQMP, which is anticipated within the next two years.

It is FMFCD's understanding that the City will adopt a Program EIR for the proposed West Area Neighborhoods Specific Plan and that the Program EIR may be used when considering approval of future discretionary actions. The Storm Water Permit requires that Co-Permittees update their CEQA process to incorporate procedures for considering potential stormwater quality impacts when preparing and reviewing CEQA documents. This requirement is found on Provision D.14 of the 2013 Storm Water Permit and in Section 7: Planning and Land Development Program – PLD 3 – Update CEQA Process. The District has created a guidance document that will meet this Storm Water Permit requirement entitled Guidance for Addressing Stormwater Quality for CEQA Review, which has been attached. In an effort to streamline future CEQA processing and maintain compliance with the Storm Water Permit, FMFCD recommends that all future CEQA review within the City of Fresno utilize the attached guidance document Exhibit "A". Thank you for the opportunity to comment.

If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292."

This comment serves as a conclusion to the letter. This comment is acknowledged by the City. The NPDES General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) are discussed on pages 3.15-29 and 3.15-30 of the Draft EIR. Future development projects in the Plan Area would be reviewed by the City of Fresno for consistency with this EIR. Should future regulatory settings change or otherwise be

updated, and should future Master Plans would be adopted, these future regulations and Plans would guide the City's review.

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

March 24, 2022

Casey Lauderdale
City of Fresno
Long Range Planning Division
2600 Fresno Street, Room 3065
Fresno, CA 93721

Project: Draft Environmental Impact Report, West Area Neighborhoods Specific Plan (SCH #2019069117)

District CEQA Reference No: 20220143

Dear Ms. Lauderdale:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the West Area Neighborhoods Specific Plan (WANSP) from the City of Fresno (City). The WANSP includes future development for up to 54,953 dwelling units and 60,621,006 square feet of non-residential uses (Project). Additionally, the WANSP would designate land uses, establish a planning framework, and development standards to facilitate and guide future development within the approximately 7,077-acre planning area. The Project is located west of Highway 99, approximately north of Clinton Avenue and East of Garfield Avenue, in Fresno, CA. I-1

The District offers the following comments:

1) **Project Emissions and feasibility of implementing a Voluntary Emissions Reduction Agreement (VERA)**

The DEIR, specifically *Table 3.3-6: Construction Project Generated Emissions* and *Table 3.3-7: Operational Project Generated Emissions* demonstrates Project criteria pollutant emissions will exceed the District thresholds of significance. Since the Project will result in a significant impact on regional air quality, the District recommends the DEIR include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA). I-2

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.valleyair.org www.healthyairliving.com

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 old farm tractors. I-2 cont'd

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-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the DEIR includes an assessment of the feasibility of implementing a VERA.

Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at CEQA@valleyair.org or by phone at (559) 230-6000.

2) Health Risk Assessment

The Project consists of a Specific Plan designed to allow for residential and non-residential development in the future. The DEIR specifically states on page 3.3-46 "*future development projects in the Plan Area would be required to implement Mitigation Measure 3.3-9, which requires project applicants for individual projects to conduct health risk assessments (where warranted by land use and proposal)".*

Each future individual development projects that undergoes CEQA review, should be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction Toxic Air Contaminant (TAC) emissions. I-3

A Health Risk Screening/Assessment identifies potential TACs impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TACs are air pollutants 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. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of

TACs identified by OEHHA/CARB can be found at: https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants

i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

   For your convenience, the District's prioritization calculator can be found at: http:www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.

ii) The District recommends a refined HRA for development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that development project applicants contact the District to review the proposed modeling protocol. A development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that development projects which result in a significant health risk not be approved. I-3 cont'd

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- Contacting the District by phone for assistance at (559) 230-6000; or

3) District Rules and Regulations

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 I-4

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.

3a) 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). I-4 cont'd

Future individual development projects within the WANSP 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, the project proponents should submit to the District an application for an ATC.

Recommended Measure: For projects subject to permitting by the District, demonstration of compliance with District Rule 2201 shall be provided to the City before issuance of the first building permit.

3b) District Rule 9510 (Indirect Source Review)

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 Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should clean air design elements for future individual development projects within the WANSP be insufficient to meet the required emission reductions, developers must pay a fee to fund incentive projects to achieve off-site emissions reductions.

Accordingly, a future individual development projects within the WANSP 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:

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

I-4 cont'd

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 Rule 9510, an Air Impact Assessment (AIA) application is required, and the District recommends that demonstration of compliance with the rule prior to issuance of the first building permit, be made a condition of project approval.

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 individual development projects within the WANSP will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

3c) District Rule 4901 (Wood Burning Fireplaces and Wood Burning 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/

3d) District Rule 4002 – National Emissions Standards for Hazardous Air Pollutants

In the event an existing building will be renovated, partially demolished or removed, the Project 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.

3e) District Regulation VII – Fugitive PM10 Prohibitions

I-4 cont'd

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.*

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

3f) Other District Rules and Regulations

Future individual development projects within the WANSP may also be subject to the following District rules: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 9410 (Employer Based Trip Reduction), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

For further information or assistance, project proponents may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

4) Referral Documents

For future individual development projects within the WANSP that will undergo CEQA review, referral documents provided to the District for review should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources. I-5

6) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent. I-6

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860. I-7

Sincerely,

Brian Clements
Director of Permit Services

For Mark Montelongo
Program Manager

Response to Letter I: San Joaquin Valley Air Pollution Control District

Response I-1: The commentor provides an introduction to the comment letter, and summarizes the project description of the proposed project. No further response to this comment is warranted.

Response I-2: The commenter states the following regarding *"Feasibility of implementing a Voluntary Emission Reduction Agreement"*:

> *The DEIR, specifically Table 3.3-6: Construction Project Generated Emissions and Table 3.3-7: Operational Project Generated Emissions demonstrates Project criteria pollutant emissions will exceed the District thresholds of significance. Since the Project will result in a significant impact on regional air quality, the District recommends the DEIR include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA).*
>
> *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 old farm tractors.*
>
> *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-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the DEIR includes an assessment of the feasibility of implementing a VERA.*
>
> *Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at CEQA@valleyair.org or by phone at (559) 230-6000."*

Given that a VERA is a "Voluntary Agreement," the feasibility of entering into such an agreement cannot be measured because the terms of the agreement and the party's willingness to "agree" to such terms is not known. A "voluntary agreement" cannot be mandated through CEQA because it can not be guaranteed that the terms of the agreement would be agreeable to both parties. Nevertheless, the City recognizes that a VERA is one method that can be used to try to reduce emissions to a net zero level through implementing a variety of programs for onsite and offsite mitigation, or to levels below the SJVAPCD's regulatory requirements/thresholds. The City can educate applicants on the benefits of a VERA, and recommend consulting with the Air District to see if such "voluntary agreement" can be reached, but the City has not adopted a policy that mandates projects reduce air emissions to net zero or to levels below the SJVAPCD's regulatory requirements/thresholds. The SJVAPCD has established "thresholds" that are not net zero.

It is noted that Rule 9510 is a regulation that is imposed by the SJVAPCD to collect fees for emissions that exceed the threshold of significance established by the SJVAPCD after all calculated onsite and offsite mitigation, from construction and operation of the building/end user, can be calculated and is applied. The proposed Project is subject to the SJVAPCD Rule 9510 (Indirect Source Review [ISR] rule), which could result in substantial mitigation of emissions beyond what is reflected in the modeling outputs provided in the EIR. The reductions are accomplished by the incorporation of measures into individual projects and/or by the payment of an Indirect Source Rule fee for any required reductions that have not been accomplished through Project mitigation commitments. The actual calculations will be accomplished by the SJVAPCD and project applicants through the regulatory permitting process as the Project (i.e. or portions of the Project) are brought forward for approval under Rule 9510. The Project applicant would be required to pay the ISR fee to the SJVAPCD at that time. Ultimately, the SJVAPCD utilizes the fees to fund offsite projects that reduce emissions to at, or below, the thresholds of significance established by the SJVAPCD. The performance-based metric for each individual case, is actual emissions compared to the threshold.

Response I-3: The commentor states that, consistent with Mitigation Measure 3.3-9 contained on page 3.3-46 of the DEIR, each future individual development projects that undergoes CEQA review, should be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction Toxic Air Contaminant (TAC) emissions. This is noted. Mitigation Measure 3.3-9 would ensure that individual development projects that undergo CEQA review would be evaluated for potential health impacts to surrounding receptors, as applicable.

The commentor also provides additional information on what a Health Risk Screening/Assessment is designed to do, what it is for, and lists potential common sources of TACs such as diesel exhaust. The commentor also describes the Air District's recommended process for Health Risk Screening/Assessment, which includes first conducting a screening analysis, and second, conducted a refined HRA if the results of the

screening analysis result in a prioritization score of 10 or higher. The commentor also provides a brief list of the files to submit to the Air District for HRA submittals.

This comment is noted. As previously stated, for individual development projects within the Plan Area that undergo CEQA review, projects will be evaluated for potential health impacts to surrounding receptors, as applicable. No further response to this comment is warranted.

Response I-4: The commentor provides a list of Air District rules and regulations that may be applicable to individual projects within the overall proposed project. The following non-exhaustive and non-exclusive list of Air District rules and regulations identified by the Air District in this comment letter is as follows: District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources; District Rule 9510 (Indirect Source Review); District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters); District Rule 4002 – National Emissions Standards for Hazardous Air Pollutants; District Regulation VII – Fugitive PM_{10} Prohibitions; Other District Rules and Regulations; Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 9410 (Employer Based Trip Reduction), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

This comment is noted. Individual projects within the overall proposed project would be required to follow all applicable Air District rules and regulations, which may include those listed within this comment. For example, consistent with the recommendation included within this comment, for individual projects subject to permitting by the District, demonstration of compliance with District Rule 2201 would be provided to the City before issuance of the first building permit. No further response to this comment is warranted.

Response I-5: The commentor states that individual developments within the Specific Plan Area that will undergo CEQA review should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources, within referral documents. This comment is noted. No further response to this comment is warranted.

Response I-6: The commentor states that they request that a copy of the Air District's comments be provided to the Project proponent. This response is noted. The Project proponent has been provided a copy of the Air District's comments. No further response to this comment is warranted.

Response I-7: The commentor provides contact information. No further response to this comment is warranted.

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This section includes minor edits and changes to the Draft EIR. These modifications resulted from responses to comments received during the public review period for the Draft EIR, as well as City staff-initiated edits to clarify the details of the project.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5.

Other minor changes to various sections of the Draft EIR are also shown below. These changes are provided in revision marks with underline for new text and ~~strike out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

0.0 EXECUTIVE SUMMARY

The following changes were made to pages ES-8 and ES-9 of the Draft EIR:

Mitigation Measure 3.2-1: *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts on Important Farmland located on the site: The project proponent shall mitigate the loss of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the Plan Area at a 1:1 ratio. The acreage of lost farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Once the acreage of farmland converted is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno. Should the City develop a Farmland Preservation Program before future construction within the Plan Area begins, the project proponent shall mitigate for Farmland pursuant to the Program.* *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*
Mitigation Measure 3.2-2: *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts related to agriculturally-zoned land located on the site: The project proponent shall mitigate the loss of land zoned for agricultural use within the Plan Area at a 1:1 ratio. Once the acreage of land zoned for agricultural use which would be converted by the project is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno.* *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*

The following changes were made to page ES-27 of the Draft EIR:

Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos, ~~and~~ lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), ~~and/or~~ LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).*

The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials.

The following changes were made to page ES-34 of the Draft EIR:

None feasible. ~~***Mitigation Measure 3.13-3:*** *As detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.~~
None feasible. ~~***Mitigation Measure 3.13-4:*** *As detailed plans for future libraries and other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.~~

1.0 INTRODUCTION

The following change was made to page 1.0-5 of Chapter 1.0 of the Draft EIR:

The following agencies are considered Responsible Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Fresno Metropolitan Flood Control District (FMFCD);
- Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

The following change was made to page 1.0-10 of Chapter 1.0 of the Draft EIR:

The City received thirteen written comment letters on the NOP for the proposed project Draft EIR. A copy of each letter is provided in **Appendix A** of this Draft EIR. A public scoping meeting was held on July 24, 2019 to present the project description to the public and interested agencies, and to

receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR.

1. April Henry (August 1, 2019)
2. California Department of Water Resources, Division of Safety of Dams (July 19, 2019)
3. California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (June 28, 2019)
4. Carl & Lydia Franklin (August 2, 2019)
5. Cathy Caples (August 1, 2019)
6. Central Grizzlies Youth Football & Cheer (August 2, 2019)
7. City of Fresno Transportation Department, Fresno Area Express (July 29, 2019)
8. Forgotten Fresno (July 17, 2019)
9. Fresno Metropolitan ~~Floor~~ Flood Control District (August 1, 2019)
10. Fresno County Public Library (July 8, 2019)
11. Jeff Roberts (July 24, 2019)
12. Patricia and Clifford Upton (July 24, 2019)
13. San Joaquin Valley Air Pollution Control District (July 15, 2019)

2.0 PROJECT DESCRIPTION

The following change was made to pages 2.0-14 and 2.0-15 of the Draft EIR:

The following agencies are considered Responsible Agencies for this Specific Plan, and may be required to issue permits or approve certain aspects of the proposed Specific Plan:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Fresno Metropolitan Flood Control District (FMFCD);
- ~~Fresno Irrigation District (FID);~~
- Central Valley Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, National Pollution Discharge Elimination System (NPDES) general construction permit;
- San Joaquin Valley Air Pollution Control District – Approval of construction-related air quality permits, authority to Construct, Permit to Operate for stationary sources of air pollution;
- Central Unified School District – Approval of school sites.

3.1 AESTHETICS AND VISUAL RESOURCES

No changes were made to Section 3.1 of the Draft EIR.

3.2 AGRICULTURAL RESOURCES

The following change was made to page 3.2-9 of Section 3.2 of the Draft EIR:

LOCAL

Fresno County Right to Farm Ordinance

The Fresno County "Right to Farm" Ordinance is discussed in Section 17.04.100 of the County Code. This ordinance helps protect farming operations from interruptions due to land use conflicts with adjacent properties. The intent of the ordinance is to allow farmers to conduct normal farming operations (harvest crops, till soil, or spray crops) without interference from nearby land owners. In essence, it allows farmers to conduct their operations as needed.

Fresno County Right-to-Farm Notice states the following: 'It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniencies and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.

The following change was made to page 3.2-11 of Section 3.2 of the Draft EIR:

Mitigation Measure 3.2-1: *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts on Important Farmland located on the site: The project proponent shall mitigate the loss of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the Plan Area at a 1:1 ratio. The acreage of lost farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Once the acreage of farmland converted is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno. Should the City develop a Farmland Preservation Program before future construction within the Plan Area begins, the project proponent shall mitigate for Farmland pursuant to the Program.*

The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.

The following change was made to page 3.2-12 of Section 3.2 of the Draft EIR:

Mitigation Measure 3.2-2: *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts related to agriculturally-zoned land located on the site: The project proponent shall mitigate the loss of land zoned for agricultural use within the Plan Area at a 1:1 ratio. Once the acreage of land zoned for agricultural use which would be converted by the project is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would*

preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno.

The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.

3.3 AIR QUALITY

No changes were made to Section 3.2 of the Draft EIR.

3.4 BIOLOGICAL RESOURCES

The following changes were made to page 3.4-9 of Section 3.4 of the Draft EIR:

Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2 in Section 3.9, Hydrology and Water Quality.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage ~~channels~~ irrigation canals owned by FID within the Plan Area include:

The following change was made to pages 3.4-43 and 4.3-44 of Section 3.4 of the Draft EIR:

Policy POSS-5-e: Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.

The Specific Plan includes two policies which address flood protection and design. Policy IPR 2.9 states, "Plant locally appropriate, drought-tolerant landscaping and, where possible, incorporate designs that can contribute to groundwater recharge, flood protection, and reduced urban heat island effects." Policy LUH 5.1 states, "Update the Development Code so that when land proposed for urban development abuts active farmland, planned farmland, or rural residential, the development project shall include and provide for the maintenance of one of the following design features to provide a rural/urban buffer:

- Provide landscaping and setbacks to fully obscure the new development's buildings and fences.
- Do not include fencing, or provide only see-through fencing no greater than four feet in height between the new development and the existing property.
- Provide open space such as edible gardens, landscaped walkways, or ~~permanent on-site flood control/drainage facilities~~rain gardens.
- Locate boundary streets between the new and existing developments."

3.5 CULTURAL AND TRIBAL RESOURCES

No changes were made to Section 3.5 of the Draft EIR.

3.6 GEOLOGY, SOILS AND SEISMICITY

No changes were made to Section 3.6 of the Draft EIR.

3.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY

No changes were made to Section 3.7 of the Draft EIR.

3.8 HAZARDS AND HAZARDOUS MATERIALS

The following changes were made to pages 3.8-2of Section 3.8 of the Draft EIR:

> A Web Soil Survey was completed for the Plan Area using the Natural Resources Conservation Service (NRCS) Web Soil Survey program. The NRCS Soils Map is provided in Figure 3.~~8~~6-1 in Section 3.6, Geology and Soils. Table 3.8-1 identifies the type and range of soils found in the Plan Area.

The following changes were made to pages 3.8-4 and 3.8-5 of Section 3.8 of the Draft EIR:

> The California Department of Toxic Substances Control (DTSC) maintains the *Envirostor Data Management System*, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. There are ~~four~~ three sites listed in the database within the Plan Area:
>
> - West Shields Elementary School: This site is located at 4108 Shields Avenue, and is a part of the DTSC – Site Cleanup Program. The cleanup status is active as of 1/4/2017. A Phase 1 assessment was completed on this site on January 4, 2017. Past uses that caused contamination are not specified. The Potential materials (e.g. soil, water, etc.) affected were also not specified.
>
> - Golden State Ranch Property: This site is located at Ashlan Avenue and Grantland Avenue, and the DTSC is the oversight agency for this site. The cleanup status is active as of 2/27/2002. Past uses that caused contamination include agricultural – row crops. No contaminants were found at this site.
>
> - Parc West Development (previously known as the Westlake Proposed 430 Acre Development): This site is located at the intersection of Shields, Grantland, Garfield, and Gettysburg avenues. The cleanup status is currently inactive. Past uses that caused contamination included agricultural – orchard and agricultural – row crop uses. Potential contaminants of concern are under investigation, and the potential materials affected are soils.

The following changes were made to pages 3.8-7 of Section 3.8 of the Draft EIR:

TABLE 3.8-2: GEOTRACKER KNOWN HAZARDOUS MATERIAL RELEASE SITES WITHIN THE PLAN AREA

SITE NAME	*TYPE*	*STATUS*	*ADDRESS*
7-Eleven #24180	LUST Cleanup Site	Completed	4246 West Ashlan Avenue
AT&T California – SBR29	Permitted UST	--	4309 North Polk Avenue
Chevron #9-9093	LUST Cleanup Site	Completed	3996 Parkway Drive North
Di Redo Dry Yard	LUST Cleanup Site	Completed	6150 Shaw Avenue West
EZ Trip	LUST Cleanup Site	Completed	6639 Parkway Drive North
Former Sieberts' Oil Company	LUST Cleanup Site	Completed	2837 North Parkway Drive
Fresno Gas & Liquor	Permitted UST	--	3110 West Shields Avenue
Golden State Ranch Property	School Investigation	No Action Required	Ashlan Avenue/Grantland Avenue
Johnny Quik #175	Permitted UST	--	4395 West Ashlan Avenue
Jura Farms, Inc.	LUST Cleanup Site	Completed	5545 Dakota West
Moore Truck Lines	LUST Cleanup Site	Completed	3693 Parkway North
Parkway Mini-Mart	Permitted UST	--	
Proposed Constance-Sierra Elementary School	School Investigation	No Further Action	Northeast Corner of Constance and Sierra Avenues
Quick 'N' E-Z #19	Permitted UST	--	
Siebert's Oil Company	LUST Cleanup Site	Completed	2837 Parkway Drive North
Shop N Go, #607	Permitted UST	--	4245 West Ashlan
Sugahara Farm	LUST Cleanup Site	Completed	4108 Shields Avenue West
Vallee Food Store	LUST Cleanup Site	Completed	2414 Marks North
Parc West Development (previously known as the Westlake Proposed 430 Acre Development)	Voluntary Cleanup	Inactive	Bounded by Shields, Grantland, Garfield, and Gettysburg
West Shields Elementary School	School Investigation	Active	4108 Shields Avenue

SOURCE: STATE WATER RESOURCES CONTROL BOARD GEOTRACKER (2019).

NOTE: -- = NOT SPECIFIED WITHIN THE GEOTRACKER DATABASE.

The following change was made to pages 3.8-8 of Section 3.8 of the Draft EIR:

The Inactive **Parc West Development (previously known as the Westlake Proposed 430 Acre Development)** site is a voluntary (inactive) cleanup site. The DTSC is the lead agency for the site. A Preliminary Endangerment Assessment was planned for this former agricultural property. The site is proposed as a Planned Residential Community. The DTSC had a Voluntary Cleanup Agreement with the applicant for the Planned Residential Community. Potential media affected includes soils. Potential contaminants of concern are under investigation. Should the site be developed in the future, future cleanup activities would be required prior to development on this site, as applicable.

The following change was made to pages 3.8-22 of Section 3.8 of the Draft EIR:

Like most agricultural and farming operations in the Central Valley, agricultural practices in the area have used agricultural chemicals including pesticides and herbicides as a standard practice. Residual concentrations of pesticides may be present in soil as a result of historic agricultural application and storage. Continuous spraying of crops over many years can potentially result in a residual buildup of pesticides in farm soils. Of highest concern relative to agrichemicals are chemicals such as chlorinated herbicides, organophosphate pesticides, and organochlorine pesticides, such as Mecoprop (MCPP), Dinoseb, chlordane, dichloro-diphenyltrichloroethane (DDT), and dichloro-diphenyl-dichloroethylene (DDE). Other chemicals may also be present due to other built-up uses. As described in the Environmental Setting, there is a historical record of soil contamination at the

Proposed Constance-Sierra Elementary School site, the Parc West Development (previously known as the Westlake Proposed 430 Acre Development), and the West Shields Elementary School site, each of which are at differing levels of cleanup status. Therefore, there is the potential for other sites to have experienced contamination or have a history of hazardous materials being used as part of previous or current operations. Implementation of the Specific Plan could involve the transport, use, or disposal of hazardous materials associated with future construction and/or remediation activities. The transport of hazardous materials and any potential remediation activities would be subject to existing federal, State, and local regulations. Additionally, the proposed project would also be required to implement Mitigation Measures 3.8-1 through 3.8-10, which provide requirements for any ground disturbance activities within 50 feet of a well; require Phase I and Phase II site assessments, and other remediation activities including surveys and assessments, cleanup plans, programs, and activities, as applicable; and requires actions to ensure that developing a property within the Plan Area does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP). Therefore, the potential for existing or new hazards within the Plan Area or generated by the proposed project is limited. Additional requirements include those related to evaluation of potential asbestos and lead prior to planned renovation or demolition of residential and/or commercial structures in the Plan Area, and soil sampling for hazardous materials. Implementation of Mitigation Measures 3.8-1 through 3.8-10 would reduce potential impacts that could occur due to the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment associated with construction activities within the Plan area to a ***less than significant*** level.

The following changes were made to pages 3.8-25 and 3.8-26 of Section 3.8 of the Draft EIR:

Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos, ~~and~~ lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), ~~and/or~~ LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).*

3.9 HYDROLOGY AND WATER QUALITY

The following changes were made to pages 3.9-6 and 3.9-7 of Section 3.9 of the Draft EIR:

Locally, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the FMFCD has planned for streets or other conveyance features to move the excess runoff to the basins. The FMFCD basin facilities in the Plan Area are shown in Figure 3.9-2.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage ~~channels~~ irrigation canals owned by FID within the Plan Area include:

- East Branch Victoria Canal
- Epstein Canal
- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- Teague School Canal
- Tracy Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The following change was made to page 3.9-7 of Section 3.9 of the Draft EIR:

Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every ~~five~~ year with projected funding for five years~~s~~.

The following changes were made to page 3.9-9 of Section 3.9 of the Draft EIR:

The current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, ~~creeks,~~ and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer.

303(D) IMPAIRED WATER BODIES

Section 303(d) of the federal Clean Water Act requires States to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

The following changes were made to pages 3.9-22 sand 3.9-23 of Section 3.9 of the Draft EIR:

As noted previously, the FMFCD drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). The FMFCD storm drain and flood control system is designed to retain and infiltrate as much stormwater and urban runoff as possible.

The current drainage system in the Plan Area discharges to a system of ponding basins, irrigation canals, ~~creeks,~~ and the San Joaquin River, but is ~~designed~~ operated and maintained to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. Future development

would include water quality BMPs, detention basins, and retention basins designed to minimize or eliminate increases in runoff from these new impervious surfaces entering existing surface water courses and existing storm drains. Peak runoff and total volume of runoff will be minimized by future development of storm drainage design which retains water to the maximum extent possible. Consequently, infiltration into the groundwater aquifers will be maximized to the extent possible through the storm drainage design.

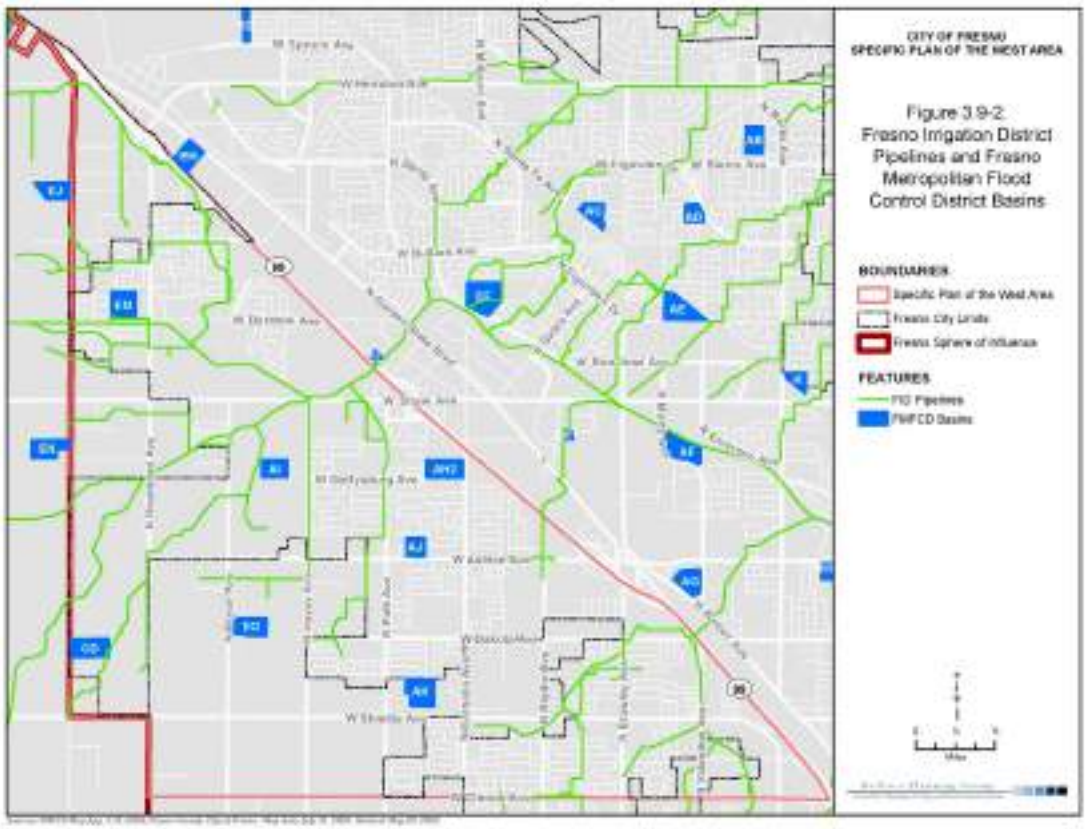
The following change was made to pages 3.9-24 and 3.9-25 of Section 3.9 of the Draft EIR:

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with FMFCD and FID, the City has access to not only City-owned basins, but also ~~those of~~to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

The following change was made to page 3.9-27 of Section 3.9 of the Draft EIR:

Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years.

Figure 3.9-2 on page 3.9-32 of Section 3.9 of the Draft EIR was revised to correct the legend labels for the Fresno Metropolitan Flood Control District (FMFCD) basins and Fresno Irrigation District (FID) pipelines. The revised figure is shown below:



3.10 LAND USE AND PLANNING

No changes were made to Section 3.10 of the Draft EIR.

3.11 NOISE

No changes were made to Section 3.11 of the Draft EIR.

3.12 POPULATION AND HOUSING

No changes were made to Section 3.12 of the Draft EIR.

3.13 PUBLIC SERVICES AND RECREATION

The following changes were made to pages 3.13-36 and 3.13-37 of Section 3.13 of the Draft EIR:

> Potential environmental impacts associated with the future construction of park and other recreational facilities within the Plan Area are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of future development and introduction of new urban land uses within the Plan Area. Each future park, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be

completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting

It is noted, however, that future development of 118.8 acres of park space within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing new park facilities to serve the Plan Area are considered ***significant and unavoidable***.

~~MITIGATION MEASURE(S)~~

~~***Mitigation Measure 3.13-3:*** *As detailed plans for future parks and recreational facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.*~~

Impact 3.13-5: The proposed Specific Plan may result in, or have the potential to require the construction of other public facilities which may cause substantial adverse physical environmental impacts. (Significant and Unavoidable)

Future buildout of the Plan Area in accordance with the proposed land use map would increase demand for other public facilities within the City of Fresno, such as libraries, and community/recreation buildings. The proposed land use map includes two land use designations that could be developed with other public facilities: Public Facilities – Public Facilities, and Public Facilities – Church. Future buildout of the Specific Plan may include construction and/or expansion of existing church sites on 55.8 acres, 129.59 acres of ponding basins, and 27.42 acres of other public facility uses in the Plan Area, which has the potential to cause substantial adverse physical environmental impacts. Potential environmental impacts associated with the future buildout of the proposed land use map, including the 55.8-acre church site and 27.42 acres of other public facility uses, are addressed throughout this EIR. This EIR analyzes the physical environmental effects that may occur as a result of development and introduction of new urban land uses within the Plan Area. These future church site and public facility use, if constructed, would fall within the range of environmental impacts disclosed in this EIR, and would be subject to relevant mitigation measures included in this EIR. Further, as detailed plans for other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities would be completed to meet the requirements of CEQA.

CONCLUSION

Project implementation may result in effects on other public facilities. The Specific Plan would result in new demand for other public facilities, including library facilities, ponding basins, and recreational facilities. Although a specific public facility use is not currently proposed by the Specific Plan, the future development of public facility uses are anticipated by the proposed Plan. Future development would be responsible for paying the applicable impact fees, and ongoing revenues

from the Specific Plan would be generated from property taxes, sales taxes, and other appropriate fees/payments.

Future development of public facility uses within the Plan Area would contribute to significant and unavoidable impacts related to aesthetics (Impact 3.1-3), agricultural resources (Impact 3.2-1 and Impact 3.2-2), air quality (Impacts 3.3-1 through 3.3-3), and utilities (Impacts 3.15-1 through 3.15-3). Therefore, consistent with the analysis included in this Draft EIR, impacts related to constructing other public facilities to serve the Plan Area are considered ***significant and unavoidable***.

~~MITIGATION MEASURE(S)~~

~~***Mitigation Measure 3.13-4:*** *As detailed plans for future libraries or other public facilities in the Plan Area are submitted to the City, environmental review of proposed facilities shall be completed to meet the requirements of CEQA. Typical impacts from park facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting.*~~

3.14 TRANSPORTATION AND CIRCULATION

The following changes were made to page 3.14-5 of Section 3.14 of the Draft EIR:

FAX operates ~~two~~ three routes that directly serve the Plan Area through curbside bus stops~~, with additional service coming into the Plan Area in 2021~~. Bus service on these routes is detailed in Table 3.14-1 with the routes near the Plan Area shown in Figure 3.14-3.

TABLE 3.14-1: BUS ROUTES SERVING THE PLAN AREA

ROUTE	*SERVING*	*DAY*	*TIMES*		*FREQUENCY*
12-35	Starting at Shaw and Brawley and serving Forestiere Underground Gardens, Teague Elementary School, Inspiration Park, Central High School East, Tower District, DMV, Roeding Park, Yosemite Middle School, and Social Security Office	Week-day	6:00 AM	10:00 PM	Every 30 minutes
		Week-end	7:00 AM	7:30 PM	Every 30 minutes
39	Starting at Brawley Avenue/Shields Ave. and serving Hamilton K-8, Fresno High, Fresno City College, VA Medical Center, McLane High, Alliant University, and Fresno Yosemite International Air Terminal primarily along Clinton Ave.	Week-day	5:30 AM	10:00 PM	Every 30 minutes
		Week-end	7:30 AM	7:00 PM	Every 30 minutes
45	Along Ashlan Avenue serving Central High School East, Cooper Middle School, Blackbeard's Family Entertainment, Army Navy Reserve, and ARC Fresno Production Center	Week-day	5:45 AM	9:30 PM	Every 45 minutes
		Week-end	6:30 AM	6:30 PM	Every 45 minutes

SOURCE: FAX WEBSITE, WWW.FRESNO.GOV/FAX, ACCESSED MARCH 11, 2021, KITTELSON & ASSOCIATES, INC., 2021.

Route 12 provides local commuter and weekend service with the route originating or terminating at Shields Avenue/Brawley Avenue and San Jose Avenue/Marty Avenue intersections. Between these two origin/destinations, the route has fixed stops as it runs mostly along Brawley Avenue and Cornelia in the Plan Area, from ~~Clinton~~ Shields Avenue to Shaw Avenue. Key destinations served include Central High School, Inspiration Park, and Forest~~r~~iere Underground Gardens.

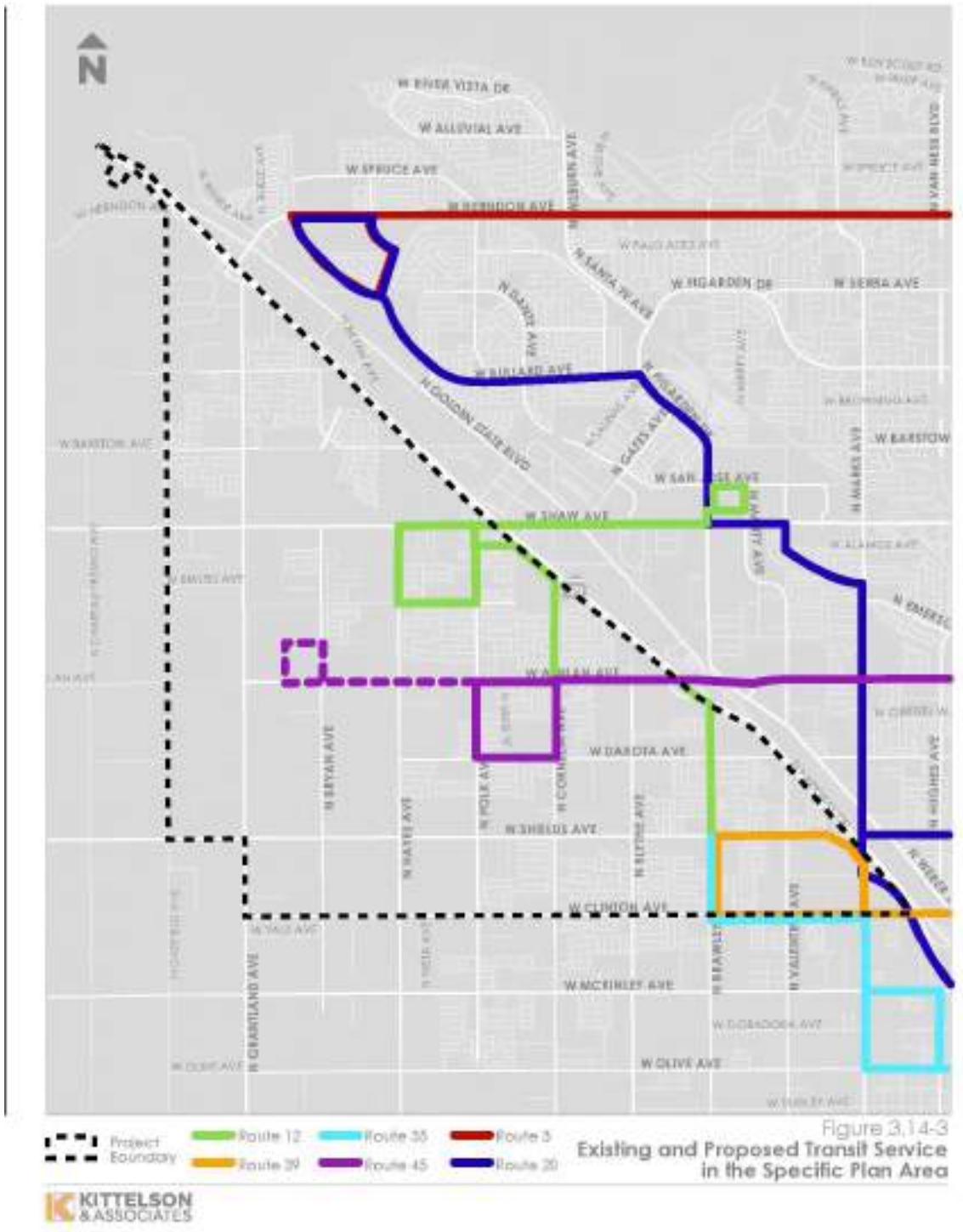
The following changes were made to page 3.14-6 of Section 3.14 of the Draft EIR:

Route 35 provides local commuter and weekend ~~served~~ service with the route originating or terminating in the Plan Area at Shields Avenue/Brawley Avenue and on the east side of Fresno at the intersection of Belmont Avenue/Clovis Avenue. In the Plan Area, the route provides fixed stops

along Brawley and Clinton Avenues, as well as Marks and Olive Avenues. Key destinations served by the route include the DMV, Talking Book Library, Post Office, and the Social Security Office.

Route 39 provides local commuter and weekend service with the route originating or terminating at Brawley Avenue/Shields Avenue intersection and Fresno Yosemite International Air Terminal. Between these two origin/destinations, Route 39 runs in a loop from Clinton Avenue/Marks Avenue to Brawley Avenue/Shields Avenue in the Plan Area where it has fixed stops. Key destinations served include Fresno High School, Fresno City College, Veteran's Medical Center, ~~and~~ Alliant University, and the Fresno Yosemite International Airport.

Figure 3.14-3 on page 3.14-25 of Section 3.14 of the Draft EIR was revised to correct the legend label for Route 20. The revised figure is shown below:



3.15 UTILITIES AND SERVICE SYSTEMS

The following change was made to page 3.15-15 of Section 3.15 the Draft EIR:

The City has long made efforts toward offsetting the decline of groundwater levels and minimizing overdraft conditions through an active intentional recharge program that started in 1971. Through cooperative agreements with Fresno Metropolitan Flood Control District (FMFCD) and FID, the City has access to not only City-owned basins, but also ~~those of~~to specific facilities owned and operated by these two agencies. The City has averaged over 60,000 AFY the previous five years and plans to gradually increase recharge by about 540 AFY each year. However, during wet years the City will recharge more water when it is available to allow to the City to draw on additional groundwater during dry years when surface water is not available.

The following changes were made to page 3.15-27 of Section 3.15 the Draft EIR:

Locally, the District's drainage system consists of approximately ~~680~~ 750 miles of pipeline and more than 150 stormwater retention basins. The storm drainage pipeline system is designed to accept the peak flow rate of runoff from a two-year intensity storm event (a storm that has a 50 percent probability of occurring in any given year). When storm events occur that exceed the two-year intensity, ponding begins to occur in the streets until the pipeline system can remove the water. In the event of larger storms, "major storm breakover", the District has planned for streets or other conveyance facilities to move the excess runoff to the basins.

The drainage system discharges to a system of irrigation canals, creeks, and the San Joaquin River, but is designed to retain and infiltrate as much runoff as possible into the underlying groundwater aquifer. The local drainage service area is subdivided into over 160 drainage areas, most of which drain to a retention basin. Drainage irrigation canals owned by FID ~~channels~~ within the Plan Area include:

- East Branch Victoria Canal
- Epstein Canal
- Herndon Canal
- Minor Thornton Ditch
- Silvia Ditch
- Teague School Canal
- Tracy Ditch
- West Branch Victoria Canal
- Wheaton Ditch
- Austin Ditch

The following change was made to page 3.15-28 of Section 3.15 the Draft EIR:

Floodplain Mapping

Flood Hazards in the City are described in the Federal Emergency Management Agency (FEMA)'s January 20, 2016 Flood Insurance Study but are largely based on hydraulic modeling performed in 1981. Although the Plan Area's northern boundary is very near the San Joaquin River, the area is not within a Special Flood Hazard Area. Local flooding can occur for events larger than a two-year event, but runoff is generally contained in the streets or other breakover easements. Such flooding is not reflected on FEMA's maps.

Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five ~~5~~ years.

Climate change is likely to increase the volume, frequency, and intensity of events in the future in the Central Valley.

4.0 OTHER CEQA-REQUIRED TOPICS

The following changes were made to page 4.0-15 of Chapter 4.0 the Draft EIR:

Stormwater Runoff

Implementation of the Specific Plan would increase the amount of impervious surfaces in the Plan Area, which, without intervention, could increase peak stormwater runoff rates and volumes on and downstream of the Plan Area. The entire Plan Area is within the Fresno Metropolitan Flood Control District's urban flood control system consisting of ~~158~~ 165 drainage areas, each 1 to 2 square miles in area. Operation of projects developed under the proposed Specific Plan could generate the same categories of pollutants as construction activities. Additionally, due to future development and infrastructure projects, the overall volume of runoff in Fresno could be increased compared to existing conditions. If the drainage system is not adequately designed, Specific Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceeded system capacity or contributed to bank erosion.

In order to ensure that future development projects in the County do not increase downstream flood elevations due to increased peak stormwater runoff, the Fresno Metropolitan Flood Control District (FMFCD) has primary responsibility for managing the local stormwater flows for the City, as well as a large area beyond the City's boundaries. The FMFCD requires future development projects to be designed in conformance to the FMFCD's Urban Storm Drainage Master Plan to ensure storm drainage facilities are adequately designed and that the storm drain system has adequate storage capacity for additional stormwater runoff generated by the Specific Plan. Improvements to storm drainage facilities are accomplished either as a part of privately funded on-site developments or as a part of the master plan, funded by drainage fees. The FMFCD maintains an on-going update to the system hydraulic model for flood control and prepares a capital improvement plan update every year with projected funding for five years five years. Surface runoff from the area will be managed via detention/retention basins and flow reducing Best Management Practices (BMPs) to prevent local flooding within the various development sites within the overall Plan Area. These features will also reduce peak flows from the Plan Area to receiving storm drains and FMFCD facilities. Additionally, future development of the proposed Specific Plan would minimize or eliminate increases in runoff from these new impervious surfaces by runoff entering ditches and storm drains designed in conformance to FMFCD standards.

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

No changes were made to Chapter 5.0 of the Draft EIR.

6.0 REPORT PREPARERS

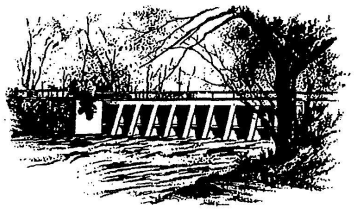
No changes were made to Chapter 6.0 of the Draft EIR.

7.0 REFERENCES

No changes were made to Chapter 7.0 of the Draft EIR.

APPENDIX A

The following NOP comment letter from FID has been inserted into Appendix A of the Draft EIR:



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

July 26, 2019

Rodney L. Horton
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: City of Fresno West Area Specific Plan Notice of Preparation
FID Facilities: Various

Dear Mr. Horton:

The Fresno Irrigation District (FID) has reviewed the West Area Specific Plan Notice of Preparation for the City of Fresno (Project). The Planning Area is triangular in shape and located west of SR 99. The project area is bounded by West Clinton Avenue, and to the west by Grantland and Garfield avenues. Your proposed project is a significant development and requires thorough and careful consideration of potential impacts. FID has the following comments:

Impacted Facilities

1. FID has many canals within the Project Area as shown on the attached FID exhibit map. The facilities include: Herndon No. 39, Epstein No. 48, Silvia No. 47, Minor-Thornton No. 459, Teague School No. 46, Tracy No.44, and Victoria Colony No. 43. 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 current urban standards or relocated by the developer to accommodate new urban developments and provide for public safety 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 including, but not limited to requirements from FID specified exclusive easements, access points, and drive approaches at all road crossings. Additionally, FID will also require all impacted open channel drive banks, to be built out to FID specified widths, heights, and overlaid with all-weather road. FID will require that it review and approve all maps and plans which impact FID canals and easements.

2.

a. Small/Medium Canal Crossings – The majority of the proposed Planning Area 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 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 must be replaced as development occurs.
b. Large Canal Crossing – There is a large canal called Herndon Canal No. 39 that will more than likely be too large to be contained within a pipeline. Development impacts to this facility 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.

3. 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.

Water Supply Impact

1. The Planning Area is located within Growth Area 1 of the Cooperative Water Utilization and Conveyance Agreement between the City of Fresno and FID. Should any outside developments receive water through any Extraterritorial Agreements, FID requires it review and approve all Agreements. Areas that are outside of the said Conveyance Agreement or within Growth Area 2 are not entitled to waters from FID.

2. 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 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 heavily reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the potential impacts of the development on the City's ability to comply with requirements of SGMA.

3. The proposed developments may negatively impact local groundwater supplies. A large portion of the planned area is currently being used for agricultural purposes. Under current circumstances the project area is experiencing a modest, but continuing groundwater overdraft. Should the proposed developments result in a greater consumption of groundwater, this deficit will increase. FID suggests the City of Fresno require balancing anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft and require the use of reclaimed water or other conservation methods.

Thank you for providing to us the Notice of Preparation for the City of Fresno's West Area Specific Plan Notice of Preparation for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. FID reserves the right to provide additional comments when more detailed information becomes available. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or JLandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments

C:\Agencies\Fresno City\EIR\Fresno - West Area - Specific Plan - EIR.doc

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This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the West Area Neighborhoods Specific Plan (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A FMMRP is required for the proposed Specific Plan because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Fresno will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Specific Plan.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures**: The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing**: Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility**: Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification**: This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
AESTHETICS AND VISUAL RESOURCES				
Impact 3.1-4: Specific Plan implementation has the potential to result in light and glare impacts.	***Mitigation Measure 3.1-1:*** *In order to reduce the potential for glare from buildings and structures within the project area, the Preliminary and Final Design Review plan(s) for all future projects in the Plan Area shall show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project sites shall be prohibited. The City of Fresno Planning and Development Department shall ensure that the approved project uses appropriate building materials with low reflectivity to minimize potential glare nuisance to off-site receptors. These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.* ***Mitigation Measure 3.1-2:*** *A lighting plan for all future projects in the Plan Area subject to section 15-2508 and section 15-2015 of the City of Fresno Municipal Code shall be prepared prior to the approval of the design review for each project site. The lighting plan shall demonstrate that the lighting systems and other exterior lighting throughout the project area have been designed to minimize light spillage onto adjacent properties to the greatest extent feasible, consistent with section 15-2508. – Lighting and Glare and section 15-2015 – Outdoor Lighting and Illumination of the City of Fresno Municipal Code. Use of LED lighting or other proven energy efficient lighting shall be required for facilities to be dedicated to the City of Fresno for maintenance. These requirements shall be included in future project improvement plans, subject to review and approval by the City of Fresno.*	City of Fresno Planning and Development Department City of Fresno Planning and Development Department	Prior to approval of future project improvement plans Prior to approval of future project improvement plans	
AGRICULTURAL RESOURCES				
Impact 3.2-1: Specific Plan implementation would convert Important Farmlands to non-agricultural land uses.	***Mitigation Measure 3.2-1:*** *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts on Important Farmland located on the site: The project proponent shall mitigate the loss of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the Plan Area at a 1:1 ratio. The acreage of lost farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Once the acreage of farmland converted is determined, one of the following mitigation options shall be utilized to*	City of Fresno Planning and Development Department	Prior to initiation of grading activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno. Should the City develop a Farmland Preservation Program before future construction within the Plan Area begins, the project proponent shall mitigate for Farmland pursuant to the Program. *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*			
Impact 3.2-2: Specific Plan implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.	***Mitigation Measure 3.2-2:*** *Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts related to agriculturally-zoned land located on the site: The project proponent shall mitigate the loss of land zoned for agricultural use within the Plan Area at a 1:1 ratio. Once the acreage of land zoned for agricultural use which would be converted by the project is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno.* *The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.*	City of Fresno Planning and Development Department	Prior to initiation of grading activities	
AIR QUALITY				
Impact 3.3-1: Specific Plan implementation would conflict with or obstruct implementation of the applicable air quality plan.	***Mitigation Measure 3.3-1:*** *Prior to the issuance of building permits for new development projects within the Plan Area, the project applicant(s) shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by the City of Fresno Planning and Development Department prior to the issuance of a certificate of occupancy.*	City of Fresno Planning and Development Department	Prior to the issuance of building permits for new development projects within the Plan Area	
Impact 3.3-2: Specific Plan implementation during project	***Mitigation Measure 3.3-2:*** *In order to contribute in minimizing exhaust emission from construction equipment, prior to issuance of grading or*	City of Fresno Planning and	During construction	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
construction would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	*building permits, whichever occurs first, the property owner(s)/developer(s) shall provide a list of all construction equipment proposed to be used in the Plan Area for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects). This list may be provided on the building plans. The construction equipment list shall state the make, model, and equipment identification number of all the equipment. The property owner(s)/developer(s) shall consult with the City of Fresno Planning and Development Department on the feasibility of utilizing cleaner (e.g. higher engine tier) construction equipment than proposed. The property owner(s)/developer(s) shall implement recommendations for the use of cleaner construction equipment, as determined by the City of Fresno Planning and Development Department. Compliance will be verified by the City of Fresno Planning and Development Department.* ***Mitigation Measure 3.3-3:*** *During construction activities, the construction contractors shall ensure that the equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations; and, that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9.* ***Mitigation Measure 3.3-4:*** *In order to reduce ROG emissions from construction activities, prior to issuance of a building permit for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects), the property owner/developer shall require the construction contractor provide a note on the construction plans indicating that:* • *All coatings and solvents will have a volatile organic compound (ROG) content lower than required under Rule 4601 (i.e., super compliant paints).* • *All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency.* *The construction contractor may also use precoated/natural colored*	Development Department City of Fresno Planning and Development Department City of Fresno Planning and Development Department	activities During construction activities During construction activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	building materials. ***Mitigation Measure 3.3-5:*** *During all construction activities, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (2002).* *a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.* *b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.* *c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.* *d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.* *e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.* *f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.* *g. Limit traffic speeds on unpaved roads to 5 mph; and* *h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.* ***Mitigation Measure 3.3-6:*** *Asphalt paving shall be applied in accordance with SJVAPCD Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.*	City of Fresno Planning and Development Department City of Fresno Planning and Development Department	During construction activities During construction activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
Impact 3.3-3: Specific Plan implementation during project operation would expose sensitive receptors to substantial pollutant concentrations or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	***Mitigation Measure 3.3-7.*** *The property owner(s)/developer(s) shall incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to:* • *For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.* • *Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.* • *Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).* • *Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.* • *Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the city to generate solar energy.* • *Maximize the planting of trees in landscaping and parking lots.* • *Use light-colored paving and roofing materials.* • *Require use of electric or alternatively fueled street-sweepers with HEPA filters.* • *Require use of electric lawn mowers and leaf blowers.* • *Utilize only Energy Star heating, cooling, and lighting devices, and appliances.* • *Use of water-based or low volatile organic compound (VOC) cleaning products.*	City of Fresno Planning and Development Department	Prior to approval of future project improvement plans	
Impact 3.3-4: Specific Plan implementation has the potential to result in other emissions (such as those leading to odors)	***Mitigation Measure 3.3-8****: The project applicant(s) shall require developers of projects within the Specific Plan Area with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to*	City of Fresno Planning and Development	Prior to approval of future project improvement	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
affecting a substantial number of people.	*prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.*	Department San Joaquin Valley Air Pollution Control District	plans	
	Mitigation Measure 3.3-9: *Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA, the City of Fresno shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a Health Risk Assessment (HRA) to the City Planning and Development Department. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the Applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to:* • *Restricting idling on site or electrifying warehousing docks to reduce diesel particulate matter;* • *Requiring use of newer equipment and/or vehicles;* • *Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or* • *Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.*	City of Fresno Planning and Development Department San Joaquin Valley Air Pollution Control District	Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan. ***Mitigation Measure 3.3-10****: Locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.*	City of Fresno Planning and Development Department	Prior to future discretionary approval for individual projects within the Specific Plan Area that require environmental evaluation under CEQA	
Impact 3.3-5: Specific Plan implementation has the potential to cause substantial adverse effects on human beings, either directly or indirectly.	*Implement* ***Mitigation Measure 3.3-1*** *through* ***Mitigation Measure 3.3-10***	See Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10	See Mitigation Measure 3.3-1 through Mitigation Measure 3.3-10	
BIOLOGICAL RESOURCES				
Impact 3.4-1: Specific Plan implementation could directly or indirectly have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS.	***Mitigation Measure 3.4-1:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status invertebrate species:* • *Preconstruction surveys/habitat assessments for valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), and vernal pool fairy shrimp (Branchinecta lynchi) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.* • *If valley elderberry longhorn beetle (Desmocerus californicus dimorphus), California linderiella (Linderiella occidentalis), midvalley fairy shrimp (Branchinecta mesovallensis), or vernal pool fairy shrimp (Branchinecta lynchi), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and*	City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately. • *Construction personnel performing activities within aquatic habitats and other suitable habitats (i.e., elderberry shrubs) to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize the species, their habitats, and measures being implemented for its protection.* ***Mitigation Measure 3.4-2:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status amphibian and reptile species:* • *Preconstruction surveys/habitat assessments for California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), and western pond turtle (Emys marmorata) shall be conducted by a qualified biologist in all areas of suitable habitat within the project disturbance area.* • *If California tiger salamander (CTS) (Ambystoma californiense), western spadefoot (Spea hammondii), blunt-nosed leopard lizard (Gambelia sila), California glossy snake (Arizona elegans occidentalis), coast horned lizard (Phrynosoma blainvillii), northern California legless lizard (Anniella pulchra), or western pond turtle (Emys marmorata), or their suitable habitat, is found during preconstruction surveys/habitat assessments within the disturbance area, activities within 200 feet of the find shall cease until appropriate measures have been completed, which may include an application for incidental take, or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.* • *If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected*	City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	whenever a lapse in construction activity of 2 weeks or more has occurred. • *Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.* • *Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.* ***Mitigation Measure 3.4-3:*** *Prior to any ground disturbance in areas which may support suitable breeding or nesting habitat for burrowing owl, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.* *If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible.*	City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing. *If occupied burrows for burrowing owls cannot be avoided, passive relocation shall be implemented. Owls may be excluded from burrows in the immediate impact zone under an authorization from the CDFW. Such exclusion would be anticipated to include the installation of one-way doors in burrow entrances. These doors would be in place for 48 hours prior to excavation and monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows must be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow. CDFW has the authority to authorize a variation to the above described exclusion method.* ***Mitigation Measure 3.4-4:** Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15) in areas which may support suitable habitat for Swainson Hawk, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for Swainson's hawk no earlier than 30 days prior to construction in order to determine whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within 1,000 feet are off the project site, then their occupancy shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Fresno.* *During the Swainson's hawk nesting season (March 15 to September 15), construction activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the City of Fresno may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other*	City of Fresno Planning and Development Department	Prior to and during construction activities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	features, the project proponent(s) can apply to the City of Fresno for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place. *All active nest trees shall be preserved on site, if feasible.* ***Mitigation Measure 3.4-5:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) that may occur on the site:* • *Preconstruction surveys for active nests of black-crowned night heron (Nycticorax nycticorax), California horned lark (Eremophila alpestris actia), double-crested cormorant (Phalacrocorax auratus), great egret (Ardea alba), Least Bell's vireo (Vireo bellii pusillus), snowy egret (Egretta thula), tricolored blackbird (Agelaius tricolor), and western yellow-billed cuckoo (Coccyzus americanus occidentalis) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.* • *If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.* ***Mitigation Measure 3.4-6:*** *Prior to any ground disturbance related to*	City of Fresno Planning and Development Department City of Fresno	Prior to and during construction activities Prior to and	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, the following measure shall be implemented. *If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used. Unoccupied dens shall be destroyed immediately to prevent subsequent use. If a natal or pupping den is found, the USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied, it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).* ***Mitigation Measure 3.4-7:*** *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following*	Planning and Development Department City of Fresno Planning and	during construction activities Prior to and during	

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	measures to avoid or minimize impacts on bats: • *If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.* • *If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist confirms the maternity roost is no longer active.*	Development Department	construction activities	
	Mitigation Measure 3.4-8: *Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to the American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) that may occur on the site:* • *Preconstruction surveys for indications of American badger (Taxidea taxus), Fresno kangaroo rat (Dipodomys nitratoides exilis), and San Joaquin pocket mouse (Perognathus inornatus) shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur in a given area.* • *If any active habitat areas, or behaviors indicating that active habitat is present, are observed, appropriate avoidance and mitigation measures, including but not limited to buffer areas, shall be required. The avoidance and mitigation measures shall be determined by the qualified biologist and implemented by the project proponent(s).*	City of Fresno Planning and Development Department	Prior to and during construction activities	
	Mitigation Measure 3.4-9: *Prior to construction in undisturbed areas, future project proponent(s) shall retain a biologist to perform plant surveys. The surveys shall be performed during the floristic season. If any of these plants are found during the surveys, the project proponent(s) shall contact*	City of Fresno Planning and Development	Prior to and during construction	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	the CNPS to obtain the appropriate avoidance and minimization measures. The project proponent(s) shall also implement the avoidance and minimization measures.	Department	activities	
Impact 3.4-2: Specific Plan implementation has the potential to have substantial adverse effect on federally- or state-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	***Mitigation Measure 3.4-10:*** *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology would be required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.* ***Mitigation Measure 3.4-11:*** *In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.*	City of Fresno Planning and Development Department City of Fresno Planning and Development Department	If a proposed project will result in the significant alteration or fill of a federally protected wetland If a proposed project will result in the significant alteration or fill of a federally protected wetland	
Impact 3.4-3: Specific Plan implementation would not have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	***Mitigation Measure 3.4-12:*** *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Specific Plan Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.* ***Mitigation Measure 3.4-13:*** *A pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will*	City of Fresno Planning and Development Department City of Fresno Planning and Development	Prior to and during construction activities Prior to and during construction	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.	Department	activities	
	Mitigation Measure 3.4-14: *Prior to project approval, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.*	City of Fresno Planning and Development Department	Prior to and during construction activities	
CULTURAL AND TRIBAL RESOURCES				
Impact 3.5-1: Specific Plan implementation may cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074.	***Mitigation Measure 3.5-1:*** *The City shall require project applicants for future projects with intact extant building(s) more than 45 years old to provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations shall be included as part of the technical study. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards. The historic resource technical study shall be submitted to the City for review prior to any site disturbance within the vicinity of the building(s).*	City of Fresno Planning and Development Department	Prior to any ground disturbance activity	
	Mitigation Measure 3.5-2: *If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered during the course of construction within the Specific Plan Area, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Fresno shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.*	City of Fresno Planning and Development Department	If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	1. *The City of Fresno shall consider mitigation recommendations presented by the qualified archaeologist for any unanticipated discoveries and future project proponents shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.*		during the course of construction within the Specific Plan Area	
Impact 3.5-2: Specific Plan implementation may disturb human remains, including those interred outside of formal cemeteries.	*Mitigation Measure 3.5-3: If human remains are found during ground disturbance activities associated with implementation of the Specific Plan, there shall be no further excavation or disturbance within 50 feet of the discovery and a qualified archeological monitor and the coroner of Fresno County shall be contacted as stated in Health and Safety Code Section 7050.5. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:* *a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;* *b) the descendent identified fails to make a recommendation; or the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*	City of Fresno Planning and Development Department Fresno County Coroner	If human remains are found during ground disturbance activities associated with implementation of the Specific Plan	
GEOLOGY AND SOILS				
Impact 3.6-2: Specific Plan construction and implementation has the potential to result in substantial soil	***Mitigation Measure 3.6-1:*** *Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation for each phase of the Project, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with*	City of Fresno Planning and Development Department	Prior to clearing, grading, and disturbances to the ground	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
erosion or the loss of topsoil.	*Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.*	Regional Water Quality Control Board	such as stockpiling, or excavation for each phase of the Project	
Impact 3.6-3: Specific Plan implementation has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Specific Plan implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse.	***Mitigation Measure 3.6-2:*** *Prior to earthmoving activities associated with future development activities within the Plan Area, a certified geotechnical engineer, or equivalent, shall be retained to perform a final geotechnical evaluation of the soils at a design-level as required by the requirements of the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 related to expansive soils and other soil conditions. The evaluation shall be prepared in accordance with the standards and requirements outlined in California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The final geotechnical evaluation shall include design recommendations to ensure that soil conditions do not pose a threat to the health and safety of people or structures, including threats from liquefaction or lateral spreading. The grading and improvement plans, as well as the storm drainage and building plans shall be designed in accordance with the recommendations provided in the final geotechnical evaluation.*	City of Fresno Planning and Development Department	Prior to earthmoving activities associated with future development activities within the Plan Area	
Impact 3.6-4: The Specific Plan would not be located on expansive soil creating substantial risks to life or property.	*Implement* ***Mitigation Measure 3.6-2***	See Mitigation Measure 3.6-2	See Mitigation Measure 3.6-2	
Impact 3.6-5: Project implementation has the potential to directly or indirectly destroy a	***Mitigation Measure 3.6-3****: If any paleontological resources are found during grading and construction activities, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified*	City of Fresno Planning and Development	If any paleontological resources are	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
unique paleontological resource.	*paleontologist has evaluated the find.* *Work shall not continue at the discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating within the Plan Area, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology.*	Department	found during grading and construction activities	
GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY				
Impact 3.7-1: Specific Plan implementation would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	***Mitigation Measure 3.7-1****: Prior to the City's approval of the project (i.e. the Specific Plan) as well as individual development projects within the Specific Plan Area, the Director of the City Planning and Development Department, or designee, shall confirm that the Specific Plan and each individual development project is consistent with the final version of the GHG Reduction Plan Update, and shall implement all measures deemed applicable to the Specific Plan and each individual development project through the GHG Reduction Plan Update-Project Consistency Checklist (Appendix B of the GHG Reduction Plan Update).*	City of Fresno Planning and Development Department	Prior to the City's approval of the project (i.e. the Specific Plan) as well as individual development projects within the Specific Plan Area	
Impact 3.7-3: Specific Plan implementation would not generate a cumulative impact on climate change from increased project-related greenhouse gas emissions.	*Implement* ***Mitigation Measure 3.7-1****.*	See Mitigation Measure 3.7-1	See Mitigation Measure 3.7-1	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.8-1: Specific Plan implementation has the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of	***Mitigation Measure 3.8-1:*** *Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Fresno County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or their subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).*	Fresno County Environmental Health Division	Prior to bringing hazardous materials onsite	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
hazardous materials into the environment.	***Mitigation Measure 3.8-2:*** *Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Fresno County Environmental Health Department, and properly abandon the on-site wells, pursuant to review and approval of the City Engineer and the Fresno County Environmental Health Department.*	Fresno County Environmental Health Department	Prior to initiation of any ground disturbance activities within 50 feet of a well	
	Mitigation Measure 3.8-3: *Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.*	City of Fresno Planning and Development Department	Prior to the issuance of a grading permit	
	Mitigation Measure 3.8-4: *In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials.* *The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as USTs, drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.*	City of Fresno Planning and Development Department	In the event that the findings and conclusions of the Phase I ESA for a property result in evidence of RECs, HRECs and/or PECs warranting further investigation	

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	Mitigation Measure 3.8-5: *In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment.*	City of Fresno Planning and Development Department	In the event the findings and conclusions of the Phase II ESA reveal the presence of significant concentrations of hazardous materials warranting further investigation	
	Mitigation Measure 3.8-6: *If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the CalEPA Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.*	City of Fresno Planning and Development Department	If the findings and conclusions of the Phase II ESA(s), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels	
	Mitigation Measure 3.8-7: *Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to*	City of Fresno Planning and Development Department	Prior to the issuance of a building permit for an individual property within the Plan Area	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.		with residual environmental contamination	
	Mitigation Measure 3.8-8: *For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP.*	City of Fresno Planning and Development Department	For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building	
	Mitigation Measure 3.8-9*: In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos, lead based paint (LBP), lead based products, mercury, and polychlorinated biphenyl caulk surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM), LBP, mercury, and/or polychlorinated biphenyl caulk. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).* *The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by*	City of Fresno Planning and Development Department	In the event of planned renovation or demolition of residential and/or commercial structures on the subject site	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials. ***Mitigation Measure 3.8-10:*** *Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine if concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements.*	City of Fresno Planning and Development Department	Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development	
NOISE				
Impact 3.11-1: Specific Plan implementation could potentially substantially increase mobile noise levels at existing and proposed receptors.	***Mitigation Measure 3.11-1:*** *Future project proponent(s) for development projects in the Plan Area which involve residential or other noise sensitive uses shall implement performance standards for noise reduction for new residential and noise sensitive uses exposed to exterior community noise levels from transportation sources above 65 dB Ldn or CNEL, as shown on Exhibit G: Existing Plus Project Plus Cumulative Noise Contours of the West Area Specific Plan Noise Impact Study prepared by MD Acoustics (dated September 30, 2020), or as identified by a project-specific acoustical analysis based on the target acceptable noise levels set in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR).* *If future exterior noise levels are expected to exceed the applicable standards presented in Table 9-2 of the Fresno General Plan Noise Element (Table 3.11-5 of this EIR), the mitigation measure presented below shall be implemented, as applicable. A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard.* • *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height for noise walls of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall*	City of Fresno Planning and Development Department	Prior to approval of improvement plans for projects which involve residential or other noise sensitive uses	

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	not exceed 15 feet. *The aforementioned measure is not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas.*			
Impact 3.11-2: Specific Plan implementation would not substantially increase noise levels associated with construction and demolition activities.	***Mitigation Measure 3.11-2:*** *Construction within the Plan Area must follow the City's Municipal Noise Code Section 10-109 which exempts construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the City or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.* ***Mitigation Measure 3.11-3:*** *The project proponent(s) and/or construction contractor(s) shall demonstrate, to the satisfaction of the City of Fresno Planning and Development Department, that buildout of the Specific Plan complies with the following:* • *Truck traffic associated with project construction shall be limited to within the permitted construction hours, as listed in the City's Municipal Code above.* • *Stationary construction noise sources such as generators or pumps shall be located at least 300 feet from sensitive land uses, as feasible.* • *Construction staging areas shall be located as far from noise sensitive land uses as feasible.* • *During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices. The use of manufacturer certified mufflers would generally reduce the construction equipment noise by 8 to 10 dBA.* • *Idling equipment shall be turned off when not in use.* • *Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.*	City of Fresno Planning and Development Department City of Fresno Planning and Development Department	During construction activities During construction activities	
Impact 3.11-3: Specific Plan implementation would not substantially increase noise vibration association with	***Mitigation Measure 3.11-4:*** *For future projects which would require the use of highly vibratory equipment in the Plan Area, an additional site- and project-specific analysis shall be conducted by a noise and vibration specialist prior to project approval. The analysis shall evaluate potential ground-borne vibration impacts to existing structures and sensitive receptors, and shall*	City of Fresno Planning and Development Department	For future projects which would require the use of highly	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
construction activities.	*also recommend additional mitigation measures, as necessary. The recommendations of the site- and project-specific analysis shall be implemented by the project proponent(s), to the satisfaction of the City of Fresno Planning and Development Department.*		vibratory equipment in the Plan Area	
Impact 3.11-4: Specific Plan implementation would not substantially increase stationary noise at sensitive receptors.	***Mitigation Measure 3.11-5****: In order to reduce the potential for stationary noise impacts, development projects in the Plan Area shall implement the following measures:* • *Avoid the placement of new noise producing uses in proximity to noise-sensitive land uses;* • *Apply noise level performance standards provided in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR) to proposed new noise producing uses; and* *Require new noise-sensitive uses in near proximity to noise-producing facilities include mitigation measures that would ensure compliance with noise performance standards in Table 9-2 of the City of Fresno General Plan Noise Element (Table 3.11-5 of this EIR).*	City of Fresno Planning and Development Department	Prior to approval of improvement plans	
Impact 3.11-5: Specific Plan implementation would not substantially increase ambient interior noise at future sensitive receptors.	***Mitigation Measure 3.11-6:*** *Prior to approval, site- and project-specific noise analyses development projects under the proposed Specific Plan shall be completed and submitted to the City in order to fine-tune and finalize noise reduction features. The site-specific noise analyses must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit.* *A qualified Acoustical Consultant shall provide information demonstrating that site specific mitigation will be effective at reaching the applicable noise standard, which includes:* • *Install noise walls, berms and/or a combination of a landscaped berm with wall, and reduced barrier height in combination with increased distance or elevation differences between noise source and noise receptor. The City of Fresno has established a maximum allowable height of 15 feet. As such, the noise walls, berms and/or a combination of a landscaped berm with wall shall not exceed 15 feet.* • *Utilize façades with substantial weight and insulation.* • *Install sound-rated windows for primary sleeping and activity areas.* • *Install sound-rated doors for all exterior entries at primary*	City of Fresno Planning and Development Department	Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	sleeping and activity areas. • *Install acoustic baffling of vents for chimneys, attic and gable ends.* • *Install mechanical ventilation systems that provide fresh air under closed window conditions.* *The aforementioned measures are not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.*			
PUBLIC SERVICES AND RECREATION				
Impact 3.13-1: The proposed Specific Plan may require the construction of fire department facilities which may cause substantial adverse physical environmental impacts.	***Mitigation Measure 3.13-1:*** *Prior to the issuance of a Certificate of Occupancy for each future dwelling unit to be developed within the Plan Area (and prior to issuance of building permits for non-residential uses), the applicant shall pay all applicable project impact fees per the impact fee schedule.*	City of Fresno Planning and Development Department	Prior to the issuance of a Certificate of Occupancy for each future dwelling unit to be developed within the Plan Area (and prior to issuance of building permits for non-residential uses)	
Impact 3.13-3: The proposed Specific Plan may result in, or have the potential to require the construction of school facilities which may cause substantial adverse physical environmental impacts.	***Mitigation Measure 3.13-2:*** *Prior to the issuance of future building permits for each dwelling unit to be constructed in the West Area Neighborhoods Specific Plan, the applicant shall pay applicable school fees mandated by SB 50 to the Central Unified School District (CUSD) and provide documentation of said payment to the City.*	City of Fresno Planning and Development Department	Prior to the issuance of future building permits for each dwelling unit to be constructed in the West Area Neighborhoods Specific Plan	