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# FINAL
# Environmental Impact Report
# Fresno Southeast Development Area Specific Plan Project
# City of Fresno, Fresno County, California

## State Clearinghouse Number 2022020486


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# SECTION 1: INTRODUCTION

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Fresno (Lead Agency) has evaluated the comments received on the Fresno Southeast Development Area (SEDA) Specific Plan Project Recirculated Draft Program Environmental Impact Report (Recirculated Draft PEIR). Pursuant to CEQA Guidelines Section 15132, this Final PEIR includes a list of persons, organizations, and agencies that provided comments on the Recirculated Draft PEIR; responses to the comments received regarding the Recirculated Draft PEIR; and errata, or revisions to the Recirculated Draft PEIR; as well as a Mitigation Monitoring and Reporting Program (MMRP) for use by the City of Fresno (City) during its review.

## 1.1 - Document Background

A Draft Program Environmental Impact Report (Draft PEIR) was prepared Fresno Southeast Development Area Specific Plan Project (proposed project) by the City and circulated for public review and comment from July 14, 2023 through August 28, 2023. After the close of the 45-day comment period, the City determined that recirculation of two of the sections was required because new significant information was added to the Draft PEIR. As indicated in State CEQA Guidelines Section 15088.5, "recirculation" provides the public with an opportunity to comment on the new or revised sections of the Draft PEIR. Recirculation of the entire document is not necessary or required. Recirculation is not required where the new information merely clarifies or amplifies or makes insignificant modifications.

As such, the Partial Recirculated Draft Program Environmental Impact Report (Partial Recirculated Draft PEIR) was circulated for public review and comment for 45 days from October 3, 2023 to November 17, 2023. The Partial Recirculated Draft PEIR included the Geology, Soils, and Seismicity section, which was inadvertently omitted from the previously circulated Draft PEIR due to a technological syncing issue that occurred when the document was uploaded to the State Clearinghouse (SCH) of the Governor's Office of Planning and Research (OPR). The Recirculated Draft PEIR also included a revised Transportation and Traffic section, which was updated to include ramp queueing analyses at the following State Route (SR) 180 interchanges and intersections: Clovis Avenue, Fowler Avenue, Temperance Avenue, De Wolf Avenue, Highland Avenue, and McCall Avenue as well as new proposed mitigation measures at the request of the California Department of Transportation (Caltrans). Shortly after the completion of the 45-day public comment period for the Partial Recirculated Draft PEIR, efforts for the proposed project were put on hold and a Final Program Environmental Impact Report (Final PEIR) was not prepared at that time.

In 2024, the City began working on preparing a Recirculated Draft PEIR that was updated to incorporate the comments from both the Draft PEIR and Partial Recirculated Draft PEIR. The Recirculated Draft PEIR circulated for public review and comment for 45-days from February 7, 2025 to March 24, 2025. This Final PEIR addresses public comments on this document.

## 1.2 - Document Organization

This document is organized into three sections:

- **Section 1—Introduction.** Provides an introduction to the Final EIR.
- **Section 2—Master Responses.** Provides a single, comprehensive response to similar comments about a particular topic.
- **Section 3—Responses to Written Comments.** Provides a list of the agencies, organizations, and individuals who commented on the Recirculated Draft PEIR. Copies of all of the letters received regarding the Recirculated Draft PEIR and responses thereto are included in this section.
- **Section 4—Errata.** Includes an addendum listing refinements and clarifications on the Recirculated Draft PEIR, which have been incorporated.

The Final EIR includes the following contents:

- Recirculated Draft PEIR (provided under separate cover)
- Recirculated Draft PEIR appendices (provided under separate cover)
- Master Responses to the Recirculated Draft PEIR (Section 2)
- Responses to Written Comments on the Recirculated Draft PEIR and Errata (Sections 3 and 4 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

# SECTION 2: MASTER RESPONSES

Master responses address similar comments made by multiple public agencies, businesses, organizations, or individuals through written comments submitted to the City of Fresno (City) on the Fresno Southeast Development Area Specific Plan Project (proposed project). Master responses are referenced by the Master Response's number and title in Section 3. Please refer to Section 1, Introduction, of this Final Program Environmental Impact Report (Final PEIR) for further details on the previous draft environmental documents prepared for the proposed project.

## 2.1 - List of Master Responses

- Master Response 1–Non-CEQA Issues Not Addressed in Final PEIR
- Master Response 2–General Opposition Comments Not Addressed in Final PEIR
- Master Response 3–Clarification Regarding Previous Comments Received
- Master Response 4–Future Implications of Annexation
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- Master Response 11–Clarifying Information on VMT Projections
- Master Response 12–Clarifying Information on Wildfire Analysis

## 2.2 - Master Responses

### Master Response 1—Non-CEQA Issues Not Addressed in Final PEIR

#### Summary of Relevant Comments

Various commenters commented on issues that either (1) reference environmental issues generally related but outside of the scope of recognized California Environmental Quality Act (CEQA) frameworks discussed in the Fresno Southeast Development Area Specific Plan Recirculated Draft PEIR (Recirculated Draft PEIR) ; or (2) relate to social, economic, or general health and safety topics that are not project impacts on the physical environment and thus fall outside the scope of CEQA. Generally, these comments, referred to herein collectively as "Non-CEQA Issues" involve, but are not limited to, the following topics:

- Economic effects or other similar perceived impacts to property values, taxation, and infrastructure costs;
- Social effects or other similar concerns related to the proposed project's impact to community culture;
- Public records requests;

- Comments on the objectives, policies, or content of the Fresno Southeast Development Area Specific Plan (Specific Plan) unrelated to physical impacts on the environment.

This Master Response addresses why these Non-CEQA Issues are not further addressed in the Final PEIR and confirms that these comments will nonetheless be included in the administrative record and provided to City decision-makers for consideration during the proposed project's public hearing process.

## Response

In compliance with CEQA, the Recirculated Draft PEIR evaluates the potential for the proposed project to adversely impact the physical environment based upon an assessment of identified significance thresholds. Under CEQA, the Lead Agency must evaluate comments on the Recirculated Draft PEIR and prepare written responses for inclusion in the Final PEIR. (Public Resources Code [PRC] § 21091(d); CEQA Guidelines §§ 15088(a), 15132). The written responses must describe the disposition of any "significant environmental issues" raised by commenters. Providing a detailed written response to all identified significant environmental issues that sets forth a reasoned, good faith analysis, helps ensure the lead agency fully considers the environmental consequences of a decision before it is made and thus facilitates informed decision-making. (CEQA Guidelines § 15088(c)).

However, CEQA does not require that a lead agency respond to every comment received on an EIR, but only comments raising significant environmental issues. (CEQA § 21091(d)(2)(B); CEQA Guidelines §§ 15088(a), (c), 15132(d), 15204(a); Citizens for E. Shore Parks v. State Lands Common (2011) 202 CA4th 549).

The CEQA Guidelines specify that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts (CEQA Guidelines § 15204(a)). "Environment" is defined as the "physical conditions that exist within [an] area… affected by a proposed project, including land, air, water, minerals, flora and fauna, noise, and objects of historic or aesthetic significance." (PRC § 21060.5; CEQA Guidelines § 15360). Further, the impacts analyzed in an EIR must be "related to a physical change." (CEQA Guidelines § 15358(b)). "Economic or social effects of a project" in and of themselves "shall not be treated as significant effects on the environment." (CEQA Guidelines § 15131(a)). Economic and social effects that are not related to physical impacts shall not be evaluated in an EIR. (CEQA Guidelines § 15604(e), 15131(a), 15131(b)). Accordingly, issues related to revenue loss, infrastructure cost, budget deficits, and similar economic and/or social concerns are appropriately not addressed in this environmental document.

Additionally, as identified in the "Thresholds of Significance" section within each topical section (Section 3.1, Aesthetics, Light, and Glare through Section 3.19, Wildfire), the City utilized the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether the proposed project would have significant environmental impacts to that specific environmental topical area. A lead agency may exercise its discretion and apply standards that are based on its own determination of appropriate thresholds of significance, based on substantial evidence in the record, when deciding

whether a project's environmental impacts are significant. Rominger v. County of Colusa (2014) 229 CA4th 690, overruled in part on other grounds by Union of Med. Marijuana Patients, Inc. v. City of San Diego (2019) 7 C5th 1171. In the Recirculated Draft PEIR prepared for the proposed project, the Lead Agency elected to analyze the proposed project against the Appendix G Environmental Checklist significance thresholds to ultimately make a significance finding for that topical area, which is the City's standard practice for EIRs.

Several commenters have discussed concerns that could be generally characterized as relating to a specific topical section, but these comments do not specifically relate or apply to any of the thresholds utilized by the Lead Agency and detailed in CEQA Guidelines Appendix G or otherwise specifically connect the identified concerns to an adverse physical impact to the environment. For the reasons explained above, the Final EIR will not provide further responses to comments on Non-CEQA Issues. However, each comment will be included in the administrative record on the proposed project and will be provided to City decision-makers for consideration as part of the public hearing process on the proposed project. In this regard, the City will review, evaluate, and consider, as determined appropriate, all comments received as part of the decision-making process.

Finally, comments that address the objectives, policies, and contents of the Specific Plan document itself, and supporting documents, such as the Public Facilities Financing Options Report, that are not related to physical impacts to the environment but rather discuss the merit or constraints of implementing the policies included in the Specific Plan are appropriately not addressed in the Final PEIR. The City has conducted its own outreach and solicited public comment to discuss the contents of the Specific Plan. During the late spring and early summer of 2022, the City's Planning and Development Department staff hosted a series of workshops and listening sessions to garner community feedback. In addition, in the summer of 2023, the City hosted three additional in-person drop-in sessions and one Zoom webinar. While comments on the contents and merits of the Specific Plan will not receive a detailed response in the Final PEIR, these comments will still be reviewed by City staff and decision-makers when considering approval of the proposed project as a whole. See also Master Response 2, General Opposition Comments Not Addressed in Final EIR. No changes are warranted, and no further response is required.

## Master Response 2—General Opposition Comments Not Addressed in Final PEIR

### Summary of Relevant Comments

Several commenters expressed general opposition to the merits of the proposed project but did not raise any significant environmental issues related to the adequacy of the environmental impact analysis; and/or objected generally regarding the adequacy of the environmental impact analysis but did not provide a specific basis to support the asserted inadequacy. The City reviewed all such general comments and prepared this Master Response to address them accordingly. Comments that were more specific in nature and provided supporting information are addressed in the individual, unique responses. The general comments addressed in this Master Response fall into one of several categories:

- The comment generally objected to either the merits of the entire proposed project, or a portion thereof, but did not raise any specific environmental issues related to the adequacy of the environmental impact analysis;
- The comment broadly identified environmental topics and requested additional evaluation but did not provide supporting information;
- The comment asked for additional studies, mitigation, or alternatives without explanation, supporting information, or rationale;
- The comment presented generalized claims challenging the adequacy of the analysis in the Recirculated Draft PEIRwhich were not supported by data or references offering facts; and
- The comment stated an opinion, speculation, or conclusion regarding the merits of the proposed project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis.

The foregoing types of comments received in response to the Recirculated Draft PEIR are referred to herein collectively as "general opposition" and are the focus of this Master Response.

## Response

As also discussed in Master Response 1, Non-CEQA Issues Not Addressed in the Final PEIR, above, comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and the adequacy of measures designed to avoid or mitigate those impacts (CEQA Guidelines § 15204(a)). "Reviewers should explain the basis for their comments" and provide data, references, or other evidence to support their comments (CEQA Guidelines § 15204(c)).

CEQA requires that the Final PEIR address comments submitted during the public comment period that raise significant environmental issues on the adequacy of the Recirculated Draft PEIR (PRC § 21091(d)(2)(B); CEQA Guidelines § 15088(c)). CEQA considerations are limited to significant issues as these relate to potential adverse physical impacts of the proposed project on the environment.

The purpose of the public review and comment process on a Draft EIR and the related responses is intended to share expertise, disclose the basis for and methodologies used to complete the Draft EIR's analyses, check for accuracy, detect and correct omissions, discover public concerns, and solicit counter proposals for mitigation and/or alternatives. General comments and comments that consist merely of speculation or unsupported criticism may be rejected or answered with only a general response.

### *CEQA Guidelines Section 15204, in part states:*

- "In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and the ways in which the significant effects of the project might be avoided or mitigated. . . . [R]eviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of [specified] factors. . . . CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by

commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." (CEQA Guidelines § 15204(a)).

- "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." (CEQA Guidelines § 15204(c)).
- "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section." (CEQA Guidelines § 15204(e)).

Accordingly, the Lead Agency has discretion to "reject comments" that are "not focused" as provided by in the CEQA Guidelines. (CEQA Guidelines § 15204(e)). Thus, CEQA does not require that the City respond to all comments on the Recirculated Draft PEIR but only to the significant environmental issues presented therein. (CEQA Guidelines §§ 15088(c), 15132(d), 15204(a)). Moreover, the City is not required "to conduct every test or perform all research, stud[ies], and experimentation" at the commenters' request. (PRC § 21091(d)(2)(B); CEQA Guidelines § 15204(a)). An EIR need "not provide all information" reviewers request, as long as the report, when looked at as a whole, reflects "a good faith effort at full disclosure." (CEQA Guidelines § 15204(a). As the court stated in City of Long Beach v. Los Angeles Unified Sch. Dist. (2009) 176 CA4th 889, 901, "[t]he level of detail required in a response to a comment depends on factors such as the significance of the issues raised, the level of detail of the proposed project, the level of detail of the comment, and the extent to which the matter is already addressed in the DEIR or responses to other comments." Accordingly, a general response to a general comment is sufficient. (CEQA Guidelines § 15088(c)).

Related thereto, responses to comments need not address a list of general suggestions for mitigating an environmental impact that are not concrete or specific to the project. A lead agency may respond to a comment that does not raise specific environmental issues or does not disclose specific analytical gaps in the Draft EIR's analysis, by providing a general response and noting the parts of the Draft EIR in which the issues are discussed.

Pursuant to CEQA, personal opinions expressing general support for, or opposition to, the proposed project are noted and will be included within the administrative record for the proposed project for consideration by the City, but do not require a specific written response if they do not relate to a significant environmental issue that is addressed within the Recirculated Draft PEIR and/or otherwise within the purview of CEQA. Likewise, opinions about the general desirability, merits, and/or purely economic, social, or political considerations of the proposed project are not within the purview of CEQA and do not require a specific written response in this Final PEIR. See also Master Response 1, Non-CEQA Issues Not Addressed in the Final PEIR, above.

In cases where the commenter provides an opinion and/or generalized concerns about the merits of the proposed project and/or the scope and nature of the environmental review but does not identify any particular issue concerning the sufficiency of the Recirculated Draft PEIR, the City notes the

opinion in this Final PEIR for informational purposes and consideration by the decision-makers as part of the public hearing process on the merits of the proposed project.

Where a commenter offers unsubstantiated assertions about an environmental issue or the adequacy of the Recirculated Draft PEIR, the City notes the assertion in this Final PEIR for informational purposes and consideration by the decision-makers but does not alter or augment the analysis in the Recirculated Draft PEIR, pursuant CEQA Guidelines Section 15204.

The general response reflected in this Master Response is appropriate when a comment falls into one of the above-referenced categories. While the City does not provide further responses to each of these general opposition comments in this Final EIR, as noted above, each comment will be included in the administrative record on the proposed project and will be provided to City decision-makers for consideration as part of the public hearing process on the merits of the proposed project. In this regard, the City will review, evaluate, and consider, as determined appropriate, all comments received as part of the decision-making process.

Further, it should be noted that certification of a Final PEIR by the Lead Agency as having been prepared in compliance with CEQA does not grant any approvals or entitlements for a project. Accordingly, the various land use entitlements necessary to implement the proposed project will be considered by the City as a separate action(s) following certification of the Final PEIR. Thus, no changes are warranted, and no further response is required.

## Master Response 3—Clarification Regarding Previous Comments Received

### Summary of Relevant Comments

Several commenters claimed that the City ignored or did not meaningfully review comment letters received during the previously circulated Draft PEIR and Partial Recirculated Draft PEIR public comment periods. Additionally, several comments incorporated comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR and/or requested responses to prior comments received.

### Response

As discussed on Page ES-9 of the Recirculated Draft PEIR, comments received in response to the Notice of Preparation (NOP), previously circulated Draft PEIR, and Partial Recirculated Draft PEIR were considered in preparing the Recirculated Draft PEIR. Copies of these letters were provided in Appendix A of the Recirculated Draft PEIR. Furthermore, Page ES-10 states, “Many of the environmental issues and questions raised in comments on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR are addressed herein, and accordingly, the entire Draft PEIR has been republished with revisions and additions.”

***CEQA Guideline 15088.5(f)(1) provides that:***

> When an EIR is substantially revised and the entire document is recirculated, the lead agency may **require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period**. The lead agency shall advise reviewers in the text of the revised EIR or by an attachment to the revised EIR, that although

> part of the administrative record, **the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.** (Emphasis added)

Page ES-11 of the Recirculated Draft PEIR provides formal notice that reviewers must submit new comments on the Recirculated Draft PEIR: "The previously circulated Draft PEIR and Partial Recirculated Draft PEIR were circulated for public review and comment period between July 14, 2023, and August 28, 2023, and between October 3, 2023, and November 17, 2023, respectively. In accordance with CEQA Guidelines Section 15088.5, the City, acting as the Lead Agency for the proposed project, formally advises reviewers of the Recirculated Draft PEIR that they must submit new comments on this Recirculated Draft PEIR. The Final PEIR, which will be prepared after the public review period for the Recirculated Draft PEIR, will only include responses to environmental comments received on the Recirculated Draft PEIR."

Therefore, this Final PEIR will only provide individual responses to environmental comments received on the Recirculated Draft PEIR consistent with the provisions of CEQA.

Because the City elected to respond to the prior comments by revising the entire Draft PEIR and recirculating it for another round of public review and comment, CEQA allows the City to require that reviewers submit new comments. Comments on a prior draft of a document that was recirculated in its entirety do not require individual responses. Comments on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR remain part of the administrative record but need not be included in the Recirculated Draft PEIR. CEQA Guidelines §15088.5(f)(1). Further, CEQA Guidelines Section 15204(a) states that, in drafting comment letters, the public should "focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and the way in which the significant effects of the project might be avoided or mitigated" (Emphasis added). Comments "must be 'fairly presented' to the agency…Evidence must be presented in a manner that gives the agency the opportunity to respond with countervailing evidence…The City cannot be expected to pore through thousands of documents to find something that arguably supports CREED's belief the project should not go forward." (Citizens for Responsible Equitable Environmental Development v. City of San Diego (4th App. Dist, June 10, 2011, Case No. D057524) 196 Cal.4th 515. (See also Save the Plastic Bag Coalition v. City of Manhattan Beach (CA Supreme Court, July 14, 2011) 51 Cal.4th 310, 322 [Comments should not rely upon non project-specific "generic studies."]

The Recirculated Draft PEIR was substantially revised in response to prior comments. Because of these substantial revisions, previous comments are generally no longer applicable to the currently proposed Specific Plan and/or Recirculated Draft PEIR, which is why the City exercised its discretion under Section 15088.5(f)(3) to provide additional opportunities to comment. As discussed under CEQA Guidelines Section 15088.5(f)(1) above, the City does not have the duty to provide individual responses to prior comments or to decipher what comments the commenter believes to still be applicable from their prior comment letters. Accordingly, the commenter's request that prior comments be incorporated by reference is acknowledged, and the City notes that those comments are part of the administrative record; however, individual responses are not provided.

## Master Response 4—Future Implications of Annexation

### Summary of Relevant Comments

Several commenters expressed concerns about what would happen to their individual properties upon implementation of the proposed project, including any future annexation requirements related to land use designations, zoning, agricultural uses, and utility hook-ups.

### Response

Adoption of the Specific Plan itself would not result in the annexation of any lands into the city limits. However, implementation of the Specific Plan includes annexation as a subsequent discretionary action to be considered by the Fresno County Local Agency Formation Commission (Fresno LAFCo). While the City is the Lead Agency for the proposed project and has primary responsibility for implementation and approving the discretionary actions required for such implementation, the Fresno LAFCo has jurisdiction over the annexation process, which is a separate application and approval process from the City's discretionary actions. As discussed in the Recirculated Draft PEIR, there is no specific development proposed as part of the proposed project.

When annexation of specific parcels is proposed and approved as part of future development under the Specific Plan, the Fresno Municipal Code Section 15-1606 provides for the Annexed Rural Residential Transitional (ANX) Overlay District. This district allows rural residential land uses upon annexation to the City to continue operating as rural residential land uses until such a time as the properties are further developed consistent with the Base District. Further, any use existing at the time the property was annexed to the City would be authorized to continue operating in accordance with its land use designation prior to annexation, so long as the use had been lawfully allowed by the County of Fresno at the time immediately preceding the annexation, subject to provisions of Article 4, Non-Conforming Uses, Structures, Site Features, and Lots.[1]

Additionally, future development in the Fresno Southeast Development Area Specific Plan Area (Plan Area) would be required to comply with Section 17.04.100 of the Fresno County Municipal Code, the County's Right-to-Farm Notice, which protects agricultural uses within AE (Exclusive Agriculture), AL (Limited Agriculture), TPZ (Timberland Preserve), or RC (Resource Conservation) zoning districts, if residential subdivisions are located within 300 feet of the use. The notice specifies that residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities.[2] This ordinance allows existing agricultural uses to continue to operate without nuisance even as future residential uses are developed nearby.

Procedural comments regarding the annexation process, the timeline of annexation, and the financial, social, and legal implications of annexation that do not represent environmental concerns or physical impacts are outside of the scope of CEQA and no response is required. This includes comments that request further information about the logistics of annexation for a specific property,

[1] City of Fresno. 2023. Code of Ordinances, Section 15-1606, Annexed Rural Residential Transitional (ANX) Overlay District. Website: http://fresno-ca.elaws.us/code/coor_ch15_ptii_art16_sec15-1606. Accessed April 2, 2025.

[2] County of Fresno, 2023. Code of Ordinances, Section 17.04.100, Right-to-farm notice. Website: https://library.municode.com/ca/fresno_county/codes/code_of_ordinances?nodeId=TIT17DILA_CH17.04SUENPR. Accessed April 2, 2025.

questions of how annexation will impact existing uses on a specific property or its infrastructure and/or utilities, and general comments expressing disapproval of the annexation process. However, all comments will be shared with the decision-makers, included in the record and considered by the Lead Agency.

## Master Response 5—Clarification of Programmatic Document

### Summary of Relevant Comments

Several commenters request clarification about the extent of environmental analysis required for a programmatic document and claim that the PEIR does not provide enough plan-level analysis and mitigation. Instead, the commenters claim that the Specific Plan does not provide sufficient information for environmental analysis at this time.

### Response

As noted on page ES-1 of the Recirculated Draft PEIR prepared for the Specific Plan, it is a Program EIR. The Guidelines do not specify the level of analysis required in a Program EIR, but CEQA recognizes that the level of specificity is determined by the nature of the underlying activity covered by the EIR. CEQA Guidelines §15146*; San Franciscans for Livable Neighborhoods v City & County of San Francisco* (2018) 26 CA5th 596, 608; N*orth Coast Rivers Alliance v Kawamura* (2015) 243 CA4th 647, 679; *Citizens for a Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1051. A Program EIR that is prepared to support approval of an overall program, such as a specific plan, may appropriately focus on program-wide issues and leave to later EIRs detailed analysis of issues specific to particular development activities. CEQA Guidelines § 15168(d)(2), (3). See e.g., *City of Hayward v Board of Trustees of Cal. State Univ*. (2015) 242 CA4th 833, 849; *Town of Atherton v California High-Speed Rail Auth.* (2014) 228 CA4th 314, 345.

Therefore, a Program EIR is not expected to analyze site-specific or project-specific environmental impacts nor provide the level of detail found in a Project EIR. Planning-level policies and mitigation measures should be consistent with the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code §§ 65300.9; CEQA Guidelines §§ 15143, 15146, 15151, and 15204). A Program EIR is appropriate to evaluate environmental effects "at a broad level," so long as to the extent a subsequent project is not covered, additional environmental review occurs (See *Committee for Green Foothills v. Santa Clara County Bd. Of Supervisors* (2010) 48 Cal.4th 32, 45). A programmatic-level document is designed to provide a level of detail for the public to be informed and decision-makers to make decisions that intelligently take into account environmental consequences consistent with CEQA. Program EIRs "[a]llow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts" (CEQA Guidelines §§ 15168(a), 15168(b)(4)). Many site-specific details may be properly evaluated in a later environmental analysis (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1173).

Unlike a Project EIR, which addresses the environmental impacts of a specific development project, a Program EIR addresses the potential impacts of a series of actions that can be characterized as one large project. Consistent with CEQA's requirements, the Recirculated Draft PEIR is a program-level environmental analysis that serves as a "first-tier" document to assess and document the broad environmental impacts of the Specific Plan with the understanding that more detailed site-specific environmental reviews may be required to assess future projects implemented under the program.

The Specific Plan and Recirculated Draft PEIR address plans and policies covering a planning area of nearly 9,000 acres. Although the general location and type of development can be anticipated based on the guidance in the Specific Plan, until the City receives a development application, the exact location, type of development, and potential impacts are too speculative to be determined. Accordingly, within the context of Section 15146 of the CEQA Guidelines, analysis of development of specific individual parcels is neither feasible nor required in the Recirculated Draft PEIR. Thus, development in the Plan Area is considered more broadly in the Specific Plan and the Recirculated Draft PEIR. Because there is no specific development project being proposed at this time, a project-level analysis cannot be prepared. Future discretionary projects would be further evaluated in light of the certified Final PEIR to determine whether or not an additional environmental document must be prepared. As appropriate, future construction and development plans would be subject to project-level CEQA analysis and potentially additional feasible mitigation, if necessary, to address project-specific or site-specific impacts that are not otherwise addressed in the PEIR.

Accordingly, as individual projects with specific site and architectural plans and facilities are submitted to the City for review, the City will evaluate each project in light of the information in the PEIR. (See PRC §§ 21083.3, 21093, and 21094 and CEQA Guidelines §§ 15152, 15164, 15168, and 15183). If their impacts are within the scope of the information in the PEIR, additional environmental documentation may not be necessary. If new effects are identified that were not addressed, the City would prepare the appropriate additional environmental documentation. This Recirculated Draft PEIR provides the appropriate broad programmatic-level environmental analysis necessary to allow the decision-makers to evaluate the Specific Plan as a comprehensive guide for making future decisions about land use, community character, economic development, environmental preservation, open space, and public health and safety. Project-level analysis is not appropriate, feasible, or pragmatic at this stage.

## Master Response 6—Infill Development Priorities

### Summary of Relevant Comments

Several comments received during the public comment period for the Recirculated Draft PEIR requested further elaboration on whether infill development is being prioritized by the City.

### Response

The City, as the Lead Agency, utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist as thresholds to determine whether land use and planning impacts are significant environmental effects. One of the significance criteria that is used to evaluate impacts to land use is whether the proposed project would cause a significant environmental impact due to a conflict with

any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, any discretionary project in the City, including the proposed project, must not conflict with the approved Fresno General Plan.

The General Plan identifies several objectives and policies that promote infill development, including Objective UF-12, Objective LU-2, Objective POSS-2 as well as Policy LU-1-a, Policy LU-2-a, Policy LU-2-b, Policy MT-2-c, and Policy RC-2-a. In accordance with the infill priorities and goals of the Fresno General Plan, the City has prioritized the preparation and completion of various Community and Specific Plans that focus on infill development within city limits prior to work on the SEDA Specific Plan. Completed plans include: the Downtown Neighborhoods Community Plan, Southwest Fresno Specific Plan, and Fulton Corridor Specific Plan, while plans currently underway include: the Tower District Specific Plan Update, West Area Neighborhoods Specific Plan, Central Southeast Specific Plan, and South Central Specific Plan. All of these plans have been prioritized in order to comply with the goals and provisions of the Fresno General Plan, which emphasize the preparation of infill plans prior to the development of a Specific Plan within the Plan Area.

As previously discussed in Master Response 1, Non-CEQA Issues Not Addressed in the Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in the Final PEIR, comments that discuss the merits of the proposed project and the Specific Plan will not receive detailed responses in the Final PEIR but will be reviewed and considered by City staff and decision-makers.

## Master Response 7—Clarifying Information on Significant and Unavoidable Impacts

### Summary of Relevant Comments

Several commenters note the significant and unavoidable impacts of the proposed project disclosed within the Recirculated Draft PEIR and suggest that approval of a proposed project with significant and unavoidable impacts is unlawful because it would have a negative impact on the environment of the Plan Area.

### Response

A number of impacts in the Recirculated Draft PEIR were found to be significant and unavoidable, meaning there is no feasible or available mitigation to address these impacts. Specifically, the proposed project would result in significant and unavoidable impacts related to Aesthetics, Light, and Glare; Agricultural Resources and Forestry Resources; Air Quality; and Noise. (See Recirculated Draft PEIR at page ES-3).

CEQA establishes the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects. . ." However, CEQA recognizes that not all impacts can be lessened in evaluating whether to approve a project, the Public Resources Code Section 21002 specifically states that, "The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or mitigation measures***, individual projects may be approved in spite of one or more significant effects thereof.***"(Emphasis added). Nothing in CEQA prohibits a lead agency from approving a project with significant and unavoidable impacts. Pursuant to Section 15093(b) of the CEQA Guidelines, prior to a

lead agency approving a project that would result in significant, unavoidable impacts, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations must weigh a proposed project's benefits against its significant adverse unavoidable environmental impacts. The lead agency may approve a project if it finds the adverse impacts "acceptable" because the benefits outweigh those effects. (PRC § 21081(b); CEQA Guidelines § 15093(a). Accordingly, since the proposed project could result in significant and unavoidable impacts, the City would be required to adopt a Statement of Overriding Considerations prior to approving the proposed project.

As discussed in Master Response 5, Clarification of a Programmatic Document, because the Recirculated Draft PEIR is a programmatic document, it evaluates impacts both during construction and at full buildout of the Specific Plan. It is not unusual for projects of this size to result in program-level or cumulative significant and unavoidable impacts. As discussed above, CEQA allows for the Lead Agency to approve a project that has significant and unavoidable impacts to the environment if the Lead Agency determines that the project provides benefits and objectives that outweigh those impacts. Thus, a project does not have to be rejected solely because it would result in significant and unavoidable impacts.

## Master Response 8—Clarifying Information on Water Supply and Water Quality

### Summary of Relevant Comments

Several comments received during the public comment period for the Recirculated Draft PEIR requested further elaboration on the availability of the water supply and potential impacts to water quality in the Plan Area as a result of implementation of the proposed project.

### Response

Impacts to water supply are discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR. According to the Recirculated Draft PEIR, the potential long-term impacts related to water supply requirements of the baseline General Plan conditions for the Plan Area versus the proposed Specific Plan conditions for the Plan Area only differ by 1.7 percent and are considered less than significant for full implementation of the proposed Specific Plan with mitigation incorporated. A Water Supply Assessment (WSA) was prepared for the proposed Specific Plan and is included in Appendix I. Per the WSA, there will be sufficient water supply to compensate for the 1.7 percent increase in water demand as a result of the Specific Plan. Proposed water supply, treatment, and distribution infrastructure that would accommodate future development associated with the Specific Plan include new municipal groundwater wells, the expansion of the Northeast Surface Water Treatment Facility (NESWTF), new water storage tanks and booster pump stations, the extension of 48-inch Regional Transmission Main (RTM), new transmission grid mains of various sizes, and new recharge inter-ties to Fresno Metropolitan Flood Control District (FMFCD) basins.

As discussed in Section 3.10, Hydrology and Water Quality, impacts to groundwater supplies and groundwater recharge would be less than significant with mitigation incorporated. It was determined that the estimated increase in water demand could be met with current water supplies

in normal year and dry year scenarios, with the incorporation of Mitigation Measures (MM) HYD-2a, MM HYD-2b, MM HYD-2c, MM HYD-2d, and MM HYD-2e.

Additionally, no specific development is proposed at this time within the Plan Area. The proposed project would comply with MM UTIL-1b, which ensures that the City shall evaluate the water supply system at the time that discretionary projects are submitted for approval by the City. If a development would demand additional water supply, the City shall not approve the development until additional sources are secured and provided for future development. Therefore, the proposed project's impacts related to water supply would be less than significant with mitigation incorporated.

Furthermore, as discussed in Section 3.10, Hydrology and Water Quality, impacts related to surface and groundwater quality would be less than significant. Development in the FMFCD Master Plan area is exempt from further water quality requirements as long as the FMFCD's Stormwater Quality Management Plan is implemented. There are seven existing stormwater basins contributing to stormwater collection for the Plan Area and six proposed basins within the Plan Area, as shown on Exhibit 1-1. The proposed project would comply with the Phase 1 Municipal Separate Storm Sewer System (MS4) Permit, which requires water quality and watershed protection measures for all development projects. The Waste Discharge Requirements (WDRs) contained in the National Pollutant Discharge Elimination System (NPDES) Permit are consistent with the water quality standards and goals established in the Central Valley Regional Water Control Board's (Central Valley RWQCB) Basin Plan. Participation in the Phase 1 MS4 Permit and implementation of the FMFCD Stormwater Quality Management Plan would reduce impacts to surface waters to acceptable levels and long-term project impacts to surface or groundwater quality would not exceed acceptable levels. Additionally, the General Plan and the proposed Specific Plan include policies designed to reduce impacts to water quality. Future development would be required to prepare, implement, and be consistent with the NPDES Permit as well as continued implementation of General Plan and Specific Plan policies, which would reduce project operational impacts associated with water quality standards and wastewater discharge requirements to less than significant.

## Master Response 9—Clarifying Information on Population Projections

### Summary of Relevant Comments

Several comments received during the public comment period of the Recirculated Draft PEIR requested further elaboration on the methodology used to calculate the population projections for the Plan Area utilized throughout the Recirculated Draft PEIR.

### Response

The population projections contained within the Recirculated Draft PEIR for the proposed project are consistent with the population projections and methodology found within the City's General Plan and utilize the best data available at the time the analysis was prepared. This approach is consistent with requirements to maintain consistency with the General Plan. By evaluating SEDA within the context of the General Plan, that City is able to comprehensively assess future demand for resources such as water, and energy, as well as public services such as police, fire, and education. Utilizing projections for the proposed project that are consistent with the General Plan allows for the

development of Specific Plan Policies and Programs that are reflective of the City's planned for and approved growth identified in the General Plan.

Additionally, the Fresno Multi-Jurisdictional 2023-2031 Housing Element, which was adopted by the Fresno City Council in December 2024, included a Regional Housing Needs Assessment for the City based on a pre-approved data package provided by the California Department of Housing and Community Development (HCD). The data package includes several data sources including

the 2020 American Community Survey (ACS) 5-Year Estimates (2016-2020) and the California Department of Finance (DOF) population estimates. The Regional Housing Needs Assessment found that countywide average annual growth was 1.2 percent between 2000 and 2022, compared to -0.01 percent statewide, which is consistent with the Fresno General Plan population growth projections. Fresno County's share of California's population is expected to steadily increase, and more than half the countywide population resides in the City of Fresno.

It is important to note that the proposed project does not approve or entitle any specific development and future development is anticipated to occur over an extended time period. Nor does the plan advocate for any specific development or mandate any specific level of development. Buildout of the proposed project is anticipated to occur through multiple phases over approximately 25 years or more. Buildout would consist of multiple smaller projects, each having its own timeline. The City ultimately has discretion to approve or deny future projects and has discretion over the phasing of the buildout of proposed projects. Accordingly, future development proposals will be subject to the City's review and approval process, including CEQA review where appropriate.

Although the Housing Choice and Affordability Chapter of the Specific Plan accommodates a variety of household demographics with a diverse range of housing types, from medium- and higher-density multi-family types, to small and medium-lot single-family options, the proposed project does not obligate the City to approve any future development. The proposed project is a planning-level document.

The proposed project represents an opportunity to meet emerging market demands, provide policies and standards to address much-needed diversity in housing stock, and enrich communities by establishing standards for safe and walkable urban environments consistent with the General Plan. It utilizes a regulatory and market-based approach to create the opportunity for future housing at all income levels. Based on this approach, future applicants and the City will have the discretion to review individual projects for necessity and market viability prior to approval and the start of construction.

## Master Response 10—Clarifying Information on Agricultural Resources

### Summary of Relevant Comments

Several commenters request further clarification of how the impacts to agriculture resources are determined and the analysis used to determine the impacts. This Master Response provides an expanded explanation of the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

## Response

Impact AG-1 evaluated impacts to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance as identified by Farmland Mapping and Monitoring Program (FMMP) data. This analysis conservatively found that impacts related to conversion of these important farmlands would be significant and unavoidable, even with the implementation of mitigation that would preserve farmland elsewhere at a 1:1 ratio, because the conversion of the farmland within the Plan Area would still occur. Regardless, the proposed project would still require future development within the Plan Area to apply feasible mitigation outlined in Mitigation Measure (MM) AG-1 in the interim while the City's completes its preparation of a Farmland Preservation Program, which if established, will provide regulations for conversion and preservation. Similarly, a significant and unavoidable impact related to conflicts with existing agricultural zoning and Williamson Act Contract parcels was found in Impact AG-2, and the same mitigation was also applied. The full analysis of these impacts is included in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR describes the existing agricultural and forestry resources in the Plan Area and the relevant regulatory framework and evaluates the possible impacts related to agricultural and forestry resources that could result from implementation of the proposed project. As discussed in Section 3.2.4, Methodology, the proposed project was evaluated for potential impacts on agricultural resources resulting from implementation of the proposed project through a review of applicable plans and policies. FirstCarbon Solutions (FCS) personnel reviewed resources from the California Department of Conservation (DOC), specifically the FMMP, which is managed and updated by the DOC. The FMMP provides geospatial information systems (GIS) data that was utilized by FCS to map the location and classifications of farmland within the Plan Area. The result of GIS data analysis is illustrated in Exhibit 3.2-1, Important Farmland Map, and its associated table (Table 3.2-1) in the Recirculated Draft PEIR. FCS staff also reviewed aerial photographs, topographical maps, and street maps to identify surrounding land uses and evaluate potential impacts from future development that may occur pursuant to the Specific Plan. The General Plan was reviewed to confirm applicable land use, zoning, and policies related to agricultural land uses.

As discussed in Master Response 1, Non-CEQA Issues Not Addressed in the Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in the Final PEIR, the Recirculated Draft PEIR utilized the significance thresholds suggested in Appendix G to the CEQA Guidelines, which is the City's standard process for evaluating environmental impacts in EIRs. Appendix G to the CEQA Guidelines is a sample Initial Study Checklist that includes questions for determining whether impacts to resources are significant. These questions reflect the input of planning and environmental professionals at the Governor's Office of Land Use, Climate Innovation and the California Natural Resources Agency, based on input from stakeholder groups and experts in various other governmental agencies, nonprofits, and leading environmental consulting firms. Two of the four significance thresholds suggested in Appendix G to the CEQA Guidelines and evaluated in the Recirculated Draft PEIR under Impact AG-1 and Impact AG-2 directly address agricultural resources. These significance criteria are as follows:

The proposed project would have a significant effect on agriculture or forestry resources if the project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act Contract.

As such, impacts to agricultural resources were evaluated in the context of these significance levels.

Comments regarding the process and logistics of annexing farmland within the Plan Area and concern regarding specific properties' legal nonconformance with the proposed zoning in the proposed project are fully discussed in Master Response 4, Future Implications of Annexation.

Additionally, comments regarding concern for approval of the proposed project with significant and unavoidable impacts are fully discussed in Master Response 7, Clarifying Information on Significant and Unavoidable Impacts. No further response is required.

## Master Response 11—Clarifying Information on VMT Projections

### Summary of Relevant Comments

Several commenters express disagreement with the VMT projections contained within the Recirculated Draft PEIR, claiming that it is not likely that the VMT for the proposed project at buildout would be as low as the Recirculated Draft PEIR details.

### Response

As detailed in Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR, the VMT analysis in the PEIR utilized the Fresno County Council of Government's (Fresno COG) Activity Based Travel Demand Model (FresnoABM) loaded vehicle assignment network. Total VMT for the proposed project was calculated by multiplying daily volumes on the model's loaded network by distance traveled. In addition, VMT per Service Population (which is the sum of population and employees) was calculated using the FresnoABM's land use database. The City's *CEQA Guide for Vehicle Miles Traveled Thresholds* identifies the significance thresholds different types of projects, including land use plans such as the proposed project. The significance threshold for land use plans is any net increase in per capita VMT when comparing horizon year to base year. In other words, if VMT is found to be greater at the buildout of the specific plan when compared to existing conditions, the proposed project would have a significant impact related to VMT.

As discussed in Section 3.17, the proposed project's VMT would be reduced at buildout, so no significant impact would occur based on the City's thereshold. The section explains that the transition from the existing mostly rural area to a developed urbanized mixed-use site results in a large VMT reduction. This is because trip distances for both the production side (residential) and attraction side (commercial) are shortened since residents and employees are now better connected to jobs and services within the project area. By grouping residential, commercial, and employment

land uses, the proposed project minimizes the need for long vehicular trips. This integration significantly reduces trip lengths, as daily needs can be met within the Plan Area itself. This significant reduction demonstrates the proposed project's alignment with sustainable land use and transportation principles, as it facilitates shorter and more efficient trips for residents and employees.

In addition, with the incorporation of multimodal strategies, the proposed project incorporates a comprehensive transportation network designed to reduce vehicle dependence. Key components include:

- Expansive pedestrian and bicycle infrastructure.
- Integration with regional transit systems, including planned Bus Rapid Transit (BRT) routes.
- TDM strategies, such as shared parking, transit subsidies, and local shuttle services.

These features encourage active and shared transportation modes, further mitigating potential VMT impacts. Therefore, while the commenters express disagreement with the VMT projections and findings, the commenters do not provide evidence or conflicting data to support this claim. Furthermore, it is reasonable for the City to rely on the expert conclusions of Fresno COG and the FresnoABM as reflected in their published data reporting.

Additionally, disagreement among experts is not a sufficient reason to set aside an EIR or require subsequent environmental review of a previously-adopted EIR. CEQA Guidelines § 15151. Under established CEQA precedent, the Lead Agency may properly accept the determinations and conclusions reached by the experts that prepared the EIR, even though other conclusions could also be reached. *See Eureka Citizens for Responsible Government v. City of* Eureka, (2007) 147 Cal. App. 4th 357, 371-72 (accepting findings on noise impacts despite experts' disagreement over methodology); *Ctr. for Biological Diversity v. Dep't of Fish & Wildlife*, (2014) 224 Cal. App. 4th 1105, 1179-80 (2014) *reversed on other grounds*, 62 Cal. 4th 204 (2015) (one scientist's disagreement with a conservation plan is "not pertinent to the issue of whether the environmental impact report's conclusions are supported by substantial evidence" (citations omitted)). Stated differently, since the function of review of the EIR is limited to determining whether the EIR is supported by substantial evidence, it is not an "abuse of discretion" for a public agency "to give more weight to one set of 'experts' than to another." *Greenebaum v. City of Los Angeles* (1984) 153 Cal. App. 3d 391, 412. The analysis and/or opinions provided within these comments do not demonstrate that City's analysis is not supported by substantial evidence. Expert opinion that differs from the expert opinion expressed in the Recirculated Draft PEIR does not undermine the fact that there is substantial evidence to support the Recirculated Draft PEIR's conclusions.

## Master Response 12—Clarifying Information on Wildfire Analysis

### Summary of Relevant Comments

Several commenters request further clarification of how the impacts related to wildfire are determined and the analysis used to determine the impacts. This Master Response provides an expanded explanation of the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR.

## Response

Section 3.19, Wildfire, of the Recirculated Draft PEIR describes the existing wildfire conditions in the Plan Area, as well as the relevant regulatory framework, and evaluates the possible impacts related to wildfire that could result from implementation of the proposed project. As discussed in Section 3.19.4, Methodology, this evaluation focuses on whether the proposed project would result in changes to the physical environment that would cause or exacerbate adverse effects related to wildfires or whether the proposed project would be placed in a location susceptible to wildfire or post-wildfire conditions. The evaluation also includes a determination of whether changes to the physical environment caused by the proposed project would impair or interfere with emergency response plans, expose people to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire, expose people/structures to downslope flooding or landslides, or include installation or maintenance of infrastructure that may exacerbate fire risk. The analysis is based, in part, on information provided by the General Plan, the SEDA Specific Plan, and the California Department of Forestry and Fire Protection (CAL FIRE) website, specifically the Fire Hazard Severity Zones (FHSZ) Maps, which are managed and updated by CAL FIRE. The FHSZ maps illustrate fire hazard within State Responsibility Areas (SRA) based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by CAL FIRE as a major cause of wildfire. The FHSZ classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone.

As discussed in Master Response 1, Non-CEQA Issues Not Addressed in the Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in the Final PEIR, the Recirculated Draft PEIR utilized the significance thresholds suggested in Appendix G to the CEQA Guidelines, which is the City's standard process for evaluating environmental impacts in EIRs. Appendix G to the CEQA Guidelines is a sample Initial Study Checklist that includes questions for determining whether impacts to resources are significant. These questions reflect the input of planning and environmental professionals at the Governor's Office of Planning and Research and the California Natural Resources Agency, based on input from stakeholder groups and experts in various other governmental agencies, nonprofits, and leading environmental consulting firms. The significance thresholds suggested in Appendix G to the CEQA Guidelines and evaluated in the Recirculated Draft PEIR under Impacts WILD-1 through WILD-4 relate specifically to project sites located in or near SRA or lands classified as Very High FHSZ. These significance criteria are as follows:

The proposed project would have a significant effect related to wildfire if the project would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

As such, impacts related to wildfire were evaluated in the context of these significance levels.

As discussed in Section 3.19, Wildfire, the Plan Area does not contain any lands within the SRA or lands classified as Very High FHSZ within Local Responsibility Areas (LRA). The nearest Very High FHSZ to the Plan Area is located 25 miles northeast of the Plan Area near Pine Flat Lake. Therefore, as identified by the significance thresholds, the proposed project would have less than significant impacts related to wildfire because the Plan Area is not located in the wildfire risk areas according to the CAL FIRE FHSZ. The Sierra Nevada foothills to the north and east of the City provide the nearest areas where large expanses of undeveloped properties occur. Because of the flat topography of the Plan Area and the distance between developed portions of the City and undeveloped areas, the primary fire hazard concern within the City consists of the potential for structure fires in developed areas, not wildfires. Additionally, State Route (SR) 168 separates this area from the Plan Area, serving as a fire break. However, the City chose to evaluate the proposed project against all of the significance thresholds identified above for informational purposes.

The analysis contained in Impacts WILD-1 through WILD-4 and the cumulative impacts analysis found impacts related to wildfires would be less than significant. Because the Plan Area is relatively flat and is not located adjacent to or a near a Very High FHSZ, the potential for wildland fire hazard would not substantially change with adoption of the proposed project, and current hazards would not be exacerbated or significantly increased. Development of the Plan Area would increase the development of residential, mixed-use, research and development, institutional, and office land uses, creating a higher intensity of development within the Plan Area. These types of land uses are not expected to impair implementation of or physically interfere with adopted emergency response plans or emergency evacuation plans in the City. In the event of an evacuation, major freeways including SR-180, SR-168, or SR-99 can be used. Major roadway access corridors such as Temperance, Clovis, and Jensen Avenues can also be used for emergency access. Each of these major roadway access corridors accommodates four lanes of traffic with a central turning lane. The risk of the proposed project exacerbating post-fire slope instability and drainage changes resulting in landslides or flooding is low.

However, consistent with the General Plan and Specific Plan policies, individual development projects would be required to undergo project-specific environmental review, which may require additional site-specific or project-specific measures to reduce any potential impacts and would ensure that impacts remain less than significant. The full analysis of these impacts is included in Section 3.19, Wildfire, of the Recirculated Draft PEIR.

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# CHAPTER 1: RESPONSES TO WRITTEN COMMENTS

## 1.1 - List of Authors

A list of public agencies, organizations, and individuals that provided comments on the Fresno Southeast Development Area Specific Plan Project Recirculated Draft PEIR is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

**Author** **Author Code**

### State Agencies

California Air Resources Board ..... CARB
California Department of Transportation ..... CALTRANS
California Department of Fish and Wildlife ..... CDFW

### Local Agencies

County of Fresno's Department of Public Works ..... COUNTY
Fresno Irrigation District ..... FID
Fresno Metropolitan Flood Control District ..... FMFCD
Sanger Unified School District ..... SANGER USD
San Joaquin Valley Air Pollution Control District ..... SJVAPCD

### Organizations

Center for Biology Diversity ..... CBD
Fresno Madera Tulare and Kings Counties Central Labor Council and Regenerate California Innovation ..... CLC/RCI
Flower Packing ..... FLOWER PACKING
Greenfield Coalition ..... GREENFIELD
Golden State Environmental Justice Alliance ..... GSEJA
Invest Fresno (First Letter) ..... INVEST 1
Invest Fresno (Second Letter) ..... INVEST 2
Pacific Gas and Electric Company (First Letter) ..... PG&E 1
Pacific Gas and Electric Company (Second Letter) ..... PG&E 2
Sierra Club, Central Valley Partnership, and League of Women Voters ..... SC-CVP-LWV
Southeast Property Owners ..... SEPO
Wilson Island Neighborhood Group ..... WING

### Individuals

Anonymous ..... ANON
Teresa Pineda Avila ..... AVILA
Heather Balcom ..... BALCOM

William Beekman.....BEEKMAN
Richard and Kay Berkten..... BERKTEN
Patti Bibb .....BIBB
Gerald Bill .....BILL
Carol Bloesser (First Letter) ..... BLOESSER 1
Carol Bloesser (Second Letter) ..... BLOESSER 2
Carol Bloesser (Third Letter)..... BLOESSER 3
Carol Bloesser (Fourth Letter) ..... BLOESSER 4
Whitney Bortz..... BORTZ
Daniel Brannick..... BRANNICK
Stephanie Brimmer.....BRIMMER
Steven Bruce..... BRUCE
Cheryl Smith ..... C.SMITH
Albert Casares.....CASARES
Alan Cederquist .....CEDERQUIST
Deborah Bigham (First Letter) ..... D. BIGHAM 1
Deborah Bigham (Second Letter) ..... D. BIGHAM 2
Deborah Bigham (Third Letter)..... D. BIGHAM 3
Deborah Bigham (Fourth Letter) ..... D. BIGHAM 4
Deborah Bigham (Fifth Letter)..... D. BIGHAM 5
Deborah Bigham (Sixth Letter) ..... D. BIGHAM 6
David Ramming (First Letter).....D. RAMMING 1
David Ramming (Second Letter).....D. RAMMING 2
David Ramming (Third Letter) .....D. RAMMING 3
Beatrice De Leon ..... DE LEON
Juliet Doty..... DOTY
Erika Leonard.....E. LEONARD
Erik Rodriquez..... E. RODRIGUEZ
Connie Enns-Rempel.....ENNS-REMPEL
Linda Foster .....FOSTER
Bette Francis ..... FRANCIS
Joe Gamradt ..... GAMRADT
Rebecca Gottselig ..... GOTTSELIG
Elizabeth Grossmayer .....GROSSMAYER
Jeff Grunau .....GRUNAU
Helen Ramming (First Letter) ..... H. RAMMING 1
Helen Ramming (Second Letter)..... H. RAMMING 2
Dr. and Mrs. Douglas Hampson .....HAMPSON
Andy Hansen-Smith (First Letter) .....HANSEN-SMITH 1
Andy Hansen-Smith (Second Letter) .....HANSEN-SMITH 2
Paulette Hiraoka ..... HIRAOKA
Cheyenne Jenvey ..... JENVEY
Bruce Jewell.....JEWELL
Valerie Johnson..... JOHNSON

Kevin Dueck ..... K. DUECK
Nancy Klassen ..... KLASSEN
Tim Kutzmark ..... KUTZMARK
Lynda Leonard ..... L. LEONARD
Paul Lake ..... LAKE
Kathy LeMon ..... LEMON
Kyle Lyman ..... LYMAN
Art Maldonado ..... MALDONADO
John Minkler ..... MINKLER
Kathy Moua ..... MOUA
Larry Muzny ..... MUZNY
Ruben Nieves ..... NIEVES
David, Natalie, and Elijah Ortiz (First Letter) ..... ORTIZ 1
David, Natalie, and Elijah Ortiz (Second Letter) ..... ORTIZ 2
David, Natalie, and Elijah Ortiz (Third Letter) ..... ORTIZ 3
Sheila Otteson ..... OTTESON
Paola Rodriguez ..... P. RODRIGUEZ
Peter Smith ..... P. SMITH
Annette Paxton ..... PAXTON
Ross and Marie Potter ..... POTTER
Jerry Prieto (First Letter) ..... PRIETO 1
Jerry Prieto (Second Letter) ..... PRIETO 2
Tim Pritchard ..... PRITCHARD
Mary Ann Quann ..... QUANN
Rhonda Dueck ..... R. DUECK
Cindy Ramsey ..... RAMSEY
Mark and Dale Reitz ..... REITZ
Gregory and Abbe Renna ..... RENNA
Maricela Reyes ..... REYES
Christopher Rocha ..... ROCHA
Martha Rodriguez Torres ..... RODRIGUEZ-TORRES
Brian and Candice Ruck ..... RUCK
Susie Rodriguez (First Letter) ..... S. RODRIGUEZ 1
Susie Rodriguez (Second Letter) ..... S. RODRIGUEZ 2
Susie Rodriguez (Third Letter) ..... S. RODRIGUEZ 3
Stephen Sacks ..... SACKS
Elizabeth Sandberg ..... SANDBERG
Eric Schmidt ..... SCHMIDT
Andrew Sensenig ..... SENSENIG
Shelly Spencer ..... SPENCER
David and Sharon Bell Stevens ..... STEVENS
Laurie Tidyman-Jones ..... TIDYMAN-JONES
Sara Valentine ..... VALENTINE
Daniel Vartan ..... VARTAN

Wes Bigham ..... W. BIGHAM
Randall and Tina White ..... WHITE
Victoria Yokoyama ..... YOKOYAMA
Connie Young ..... YOUNG

## 1.2 - Responses to Comments

### 1.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Fresno, as the Lead Agency, evaluated the comments received on the Recirculated Draft Program EIR (Recirculated Draft PEIR) (State Clearinghouse No. 2022020486) for the Fresno SEDA Specific Plan Project, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final PEIR for the project in accordance with CEQA Guidelines Section 15132.

### 1.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

CALIFORNIA
AIR RESOURCES BOARD

Gavin Newsom, Governor
Yana Garcia, CalEPA Secretary
Liane M. Randolph, Chair

March 25, 2025

Sophia Pagoulatos
Planning Manager
City of Fresno Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, California 93721

Dear Ms. Pagoulatos:

I am writing to provide comments on the Recirculated Draft Program Environmental Impact Report (draft PEIR) for the Proposed Southeast Development Area Specific Plan Project (Project) under consideration by the City of Fresno (City). The California Air Resources Board (CARB) works to support the State's long-term climate goals by engaging with local jurisdictions and lead agencies as they evaluate the greenhouse gas (GHG), air quality, and vehicle miles traveled (VMT) impacts of new development during the California Environmental Quality Act (CEQA) process. Specifically, CARB has an interest in encouraging new residential and mixed-use development to demonstrate consistency with the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan).[1] As noted in Appendix D, Local Actions, of the 2022 Scoping Plan (Appendix D), "[l]ocal government efforts to reduce greenhouse gas (GHG) emissions within their jurisdiction are critical to achieving the State's long-term climate goals."

Appendix D of the Scoping Plan provides guidance to local lead agencies on how to analyze residential and mixed-use projects for consistency with the State's climate goals. One of the recommendations in Appendix D is for projects to incorporate "Key Residential and Mixed-Use Project Attributes that Reduce GHGs," included in Table 3. The measures recommended in this table reduce a project's operational GHG emissions, as supported by the academic literature. For projects that do not wish to use the recommendations in Table 3, Appendix D provides other recommendations for how to align residential projects with the State's climate goals. 1

The draft PEIR for the Project determines that it is aligned with the State's climate goals. However, CARB observes that while some features of the Project partially align with Table 3 of Appendix D, which will assist with minimizing some of the overall GHG emission impacts associated with the Project's long-term operation, numerous other features of the project do not align with Table 3 or with other recommended approaches to reduce GHG emissions. Consequently, CARB finds that the analysis of alignment with the Scoping Plan is not sufficient, and additional opportunities exist to bring the project more in line with the

[1] *2022 Scoping Plan | California Air Resource Board*

Scoping Plan's recommendations and further reduce GHG and VMT. This is further discussed below. 1 CONT

**EV charging infrastructure meeting the most ambitious voluntary standard in the California Green Building Standards Code will not be provided for multi-family and commercial uses**

**The Project should consider providing EV charging infrastructure meeting the most ambitious voluntary standard in the California Green Building Standards Code for single-family, multi-family and commercial uses**

California has established a goal for zero-emission vehicles (ZEVs) to make up 100% of new car and light truck sales by 2035. To accommodate this change to the vehicle fleet, California will need robust charging infrastructure. Table 3 of Appendix D recommends that electric vehicle (EV) charging infrastructure be provided that meets the most ambitious voluntary standard in the California Green (CalGreen) Building Standards Code at the time of project approval, which is Tier 2. According to the draft PEIR's energy impact analysis, the Project would comply with the California Building Standards Code requirement to provide wiring branch circuits and receptacles that would allow for EV charging in private single-family garages or carports. However, it is unclear what type of EV infrastructure will be provided for new commercial and multi-family uses. Table 3.8-4 of the draft PEIR states that the proposed Project will include a commitment to preference EV parking spaces and that development pursuant to the proposed Project will comply with the requirements of the California Energy Code as it relates to EV charging and parking spaces. For the project to be fully consistent with the EV charging infrastructure project attribute from Table 3 of Appendix D, the Project could commit to achieving Tier 2 CalGreen standards for commercial uses and new multi-family dwellings. This would assist project residents and those employed within the Project as they transition from conventional vehicles. 2

**The Project should consider implementing significant measures to mitigate VMT and GHG emissions resulting from its location outside of an infill site surrounded by existing urban uses and is presently served by existing utilities and essential public services**

Appendix D of the Scoping Plan explains that residential and mixed-use projects that occur on "infill" sites that are surrounded by existing urban development are consistent with the State's climate goals. As noted above, the Project site is County of Fresno land that would be annexed into the City of Fresno. The site is located east of the current city boundary and is not surrounded by urban uses. The Project site is almost exclusively agricultural and rural residential, with utilities and public services consistent with those uses. Therefore, the Project is not located on an "infill" site and should consider the GHG and VMT impacts of developing in a greenfield location. The draft PEIR states that it is consistent because it aligns with the General Plan's policy of balancing growth with infill development; integrates small farms and community gardens into neighborhoods and a buffer with rural homes, 3

organic farming, and open spaces; integrates Mitigation Measures related to agricultural resources in Section 3.2, Agricultural Resources and Forestry Resources; and because the General Plan includes a number of policies to support agriculture and preserve natural and working lands. Despite the merit of these efforts, they are fundamentally different from a project in which growth occurs on infill sites, and the Mitigation Measures in Section 3.2 (primarily Mitigation Measure AG-1, a requirement for 1:1 conservation easements, or similar, to address the loss of quality farmland) do not address potential GHG impacts of the plan. The draft PEIR should analyze and consider how these impacts can be mitigated to the extent feasible. 3 CONT

**The Project should consider implementing significant measures to mitigate the resulting loss in natural and working lands**

The Project site is currently used predominantly for agricultural purposes, primarily vineyards, orchards, and vegetable farms. Table 3 of Appendix D of the CARB 2022 Scoping Plan lists as a key project attribute that a project "does not result in the loss or conversion of natural and working lands." Since the Project would be located on land where existing uses are mostly agricultural, the Project would not meet this recommended project attribute. The Project identifies this as a significant and unavoidable impact even after the implementation of MM AG-1. 4

~~**The project does not consist of transit supportive densities and is not in proximity to existing transit stops**~~

**The project should consider shuttle and micro-transit service since densities are not transit-supportive and the project is not in proximity to existing transit stops**

Appendix D of the Scoping Plan specifies that a project with transit-supportive densities will have a minimum of 20 residential dwelling units per acre. This allows new development to be supportive of any transit that is provided to the project site in the future. Alternatively, Appendix D recommends that new development be within ½ mile of existing transit. The Project site is currently part of unincorporated Fresno County with no convenient transit options for future residents of the project. Mitigation measure TRANS 1-d specifies that the city will collaborate with the Fresno Area Express (FAX) to provide new transit services to the proposed Project and within the proposed Project area in the future. 5

The Project includes various residential land-use categories, including Mixed Residential, Neighborhood Residential, Rural Residential, and Rural Cluster Residential. however, dwelling units per acre. While the Mixed-Residential and Neighborhood Residential uses would allow up to 30 units per acre and 20 units per acre, respectively, the Rural Residential use would consist of very low-density rural homes and ranchettes, and the Rural Cluster Residential use would have an average gross density of 0.1 – 0.5 units per acre. Moreover, Rural Residential and Rural Cluster Residential uses would make up 33.7% of the total project area. Consequently, while parts of the project would feature transit-supportive densities, the project overall would have a lower average residential density. Devoting more

of the project site to the Mixed-Residential and Neighborhood Residential uses would better allow the project to achieve densities that will increase the likelihood of effective transit service in the future. In addition, if FAX transit service is not available upon occupation of new residential uses, both shuttle service and micro-transit service could be options for the Project in the near term that would allow residents to travel within the project site and access the rest of the city without relying on automobiles.[2]

5 CONT

**The project should incorporate reduced parking requirements**

Another recommendation in Appendix D of the Scoping Plan for achieving reductions in VMT is reduced parking availability in residential development. As identified by the California Air Pollution Control Officers Association,[3] lower parking ratios can encourage residents to utilize non-motorized modes of travel. As described in Table 3.8-4 of the draft PEIR, the draft Southeast Development Area Specific Plan will include Objective UF-7 to support a variety of transportation options with parking requirements that encourage non-automotive travel modes. Table 3.8-4 also shows that the proposed Project commits to the completion of a parking study that will establish and adopt parking reduction standards. These standards will be applied to Transit, Mixed-Use Districts, land uses with Transportation Demand Management policies, and on-street parking. CARB encourages the city to expand this parking study to include residential uses. Reducing residential parking ratios can be an effective way to further reduce VMT by encouraging non-motorized travel. As emphasized in Appendix D, for multi-family units, the cost of parking can be unbundled from other unit rental costs, providing cost savings for those who do not use parking to fund their use of alternative modes of transportation. As noted above, providing transit options such as bus service, shuttle service, and micro-transit or replacing automobile parking with bike parking or secure bike storage options could also reduce the need for parking within the project site.

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**The Project will provide for affordable housing that will support the city's Regional Housing Needs Assessment targets**

The Regional Housing Needs Assessment (RHNA) provides targets for housing within the city. It appears that the Project will provide affordable housing supportive of the city's RHNA targets. While some rural residential uses will be removed, the amount of affordable housing created as a result of the Project will be net positive.

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[2] Table 3 of Appendix D of the Scoping Plan notes that a project may also demonstrate consistency in this area by satisfying more detailed criteria as specified in the applicable SCS, if the criteria is more stringent than the recommendations included in Table 3. Since the Project does not meet the criteria listed in Table 3, CARB did not assess whether it complies with any SCS criteria that may be more stringent.

[3] https://caleemod.com/handbook/index.html

**The Project should consider a commitment to install all-electric appliances and curb natural gas connections for space heating, water heating, and indoor cooking**

Building Decarbonization is addressed in Appendix D of the Scoping Plan as a priority area for GHG reductions in California. Table 3 of Appendix D recommends electric appliances for new residential and mixed-use development, without the use of natural gas or other fossil fuels to provide for space heating, water heating, or indoor cooking. Table 3.8-4 of the draft PEIR shows that the proposed Project will consider adopting an incentive program for new buildings that exceed California Energy Code requirements by 15 percent and will encourage participation in various voluntary energy conservation programs. However, the impact analysis in the Energy section of the draft PEIR states that both electricity and natural gas will be used during Project operations, with natural gas use estimated at 1,200,642,400 kilo-British Thermal Units (BTUs) of natural gas used by the Project each year. Consequently, the Project is not consistent with Appendix D's Building Decarbonization recommended project attribute. 8

**Project attribute comparison table**

The table below summarizes the comments above and compares the project to the recommended project attributes in Table 3 of Appendix D of the Scoping Plan:

**Table 1. Appendix D Project Attributes Comparison Table**

| Project Attributes from Scoping Plan Appendix D, Table 3 | Southeast Development Area Specific Plan Project |
|---|---|
| Includes Electric Vehicle (EV) charging meeting most ambitious voluntary CA Green Building Code standard | Infrastructure meeting Tier 2 CalGreen standards will be available in single-family residential units, but no commitment to meeting Tier 2 standards for commercial or multi-family uses. |
| Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer) | The Project will develop land that is currently outside the city limits and that is not surrounded by existing development. |
| Does not result in loss or conversion of natural or working lands | The Project will develop a site currently used primarily for agricultural purposes, resulting in the loss of working agricultural lands. |

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| | |
|---|---|
| Includes transit-supportive densities for new mixed-use or residential development, **or**;<br><br>Is in proximity to existing transit stops for new mixed-use or residential development; **or**;<br><br>More stringent criteria as specified in applicable SCS<br><br>Includes reduced parking requirements | The project includes a variety of residential land uses, but Rural Residential and Rural Cluster Residential uses would make up 33.7% of the total project area, resulting in densities that are not transit supportive. No transit options currently exist within proximity of the Project site.<br><br>The Specific Plan does not provide for reduced parking ratios at residential uses. |
| Provides units affordable to lower-income residents with no net loss of existing affordable units | Affordable housing will be provided, supportive of the city's RHNA targets. |
| Uses all electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking | The Project will utilize both electricity and natural gas for space heating, water heating, and cooking uses, with natural gas use estimated at 1,200,642,400 kilo-British Thermal Units (BTUs) of natural gas used by the Project each year. |

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CONT

## Conclusion

CARB appreciates the opportunity to review and comment on the draft PEIR for the City of Fresno's Proposed Southeast Development Area Specific Plan Project. The draft PEIR finds that the Project is aligned with the State's climate goals. It makes this determination by comparing the Project to various Scoping Plan policies, as listed in Table 3.8-4 of the draft PEIR, and as included in the discussion above. However, CARB's review of the draft PEIR and comparison of the project's components with the recommended project attributes in Appendix D of the Scoping Plan shows almost no areas in which the project's characteristics align with these attributes, with the exception that the Project will not result in the loss of any affordable housing units.

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As noted above, there are additional opportunities for the project to align itself with the State's climate goals. The recommendations in Table 3 of Appendix D provide one approach to minimize the Project's GHG impacts. The Project is not located on an infill site, is not near existing transit, and will occur on natural and working lands. Increasing residential densities and reducing residential parking would help to support future transit and other non-motorized travel modes, reducing both GHG and VMT associated with the long-term operations of the Project. To further reduce the Project's operational GHG impact, a robust ZEV infrastructure can be provided throughout the Project to encourage residents and employees to transition to ZEVs. Installing electric appliances with no natural gas connections for heating or cooking can also help to minimize long-term operational GHG

emissions. Finally, CARB encourages the city to work with the Project proponents to build housing that will serve all income groups.

Even though the Project is not an infill project and will remove working agricultural land, CARB commends the Project for including some attributes characteristic of mixed-use development. CARB notes that portions of the project will feature commercial uses that will be accessible to residents and will include connectivity features that can promote walking and biking within the project. 10 CONT

CARB looks forward to partnering with the City of Fresno and working towards achieving healthy and sustainable growth while realizing California's climate goals. If you have any questions, please feel free to contact Pedro Peterson at (279) 208-7367 or by email at *Pedro.Peterson@arb.ca.gov*.

Sincerely,

Jennifer Gress

Jennifer Gress Ph.D., Division Chief, Sustainable Transportation and Communities Division
*Jennifer.Gress@arb.ca.gov*

cc: Chanell Fletcher, Deputy Executive Officer, California Air Resources Board
*Chanell.Fletcher@arb.ca.gov*

Annalisa Schilla, Assistant Chief, Sustainable Transportation and Communities Division
*Annalisa.Schilla@arb.ca.gov*

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## State Agencies

### *California Air Resources Board (CARB)*

*Response to CARB-1*

The comment is noted. Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR evaluated consistency with 2022 Scoping Plan policies in Table 3.8-4, Consistency with the 2022 Scoping Plan. Appendix D of the 2022 Scoping Plan contains three tables, which contain various measures that would reduce impacts related to GHG emissions pursuant to the State's GHG reduction goals. Table 1, Priority GHG Reduction Strategies, provides programmatic priority areas and measures that local governments can use to address the largest sources of GHGs within their jurisdiction. Appendix D of the 2022 Scoping Plan states, "When developing local climate plans, measures, policies, and actions, local jurisdictions should incorporate the recommendations described in Table 1 to the extent appropriate to ensure alignment with State climate goals." While the proposed project is not a local climate plan, it is a policy-level document that aims to reduce GHG emissions in accordance with State climate goals. Therefore, the Recirculated Draft PEIR evaluated against each of the "Priority GHG Reduction Strategies" contained within Table 1.

Table 3, Key Residential and Mixed-Use Project Attributes that Reduce GHGs, of Appendix D of the 2022 Scoping Plan provides more project-level measures than Table 1. These project-level attributes include, but are not limited to, providing EV charging infrastructure, consisting of transit-supportive densities, being located in proximity to existing transit stops, providing at least 20 percent affordable housing to lower-income residents, and using all-electric appliances. Since the proposed project is a policy-level document, it is not possible to determine consistency with all of the measures required at an individual project-level. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Furthermore, this table specifically only applies to residential and mixed-use projects, with a mixed-use project being defined as "development including both residential and nonresidential uses with at least two-thirds of the square footage designated for residential use." As shown in Table 2-1, Proposed Specific Plan Acreages, of the Recirculated Draft PEIR, the proposed project would include approximately 63.4 percent of residential land uses, 12.7 percent of mixed-use land uses, 20.7 percent of employment land uses, and 3.2 percent of other land uses. Therefore, the proposed project does not consist of two-thirds residential land uses, and while some portion of the mixed-use land uses may include residential uses, it is not possible to quantify what percentage of residential would be included in the mixed-use land uses at this time. Therefore, Table 3 is not applicable to the proposed project at the programmatic level.

Clarifying edits have been made in Section 4, Errata, to clarify that future individual development projects would be required to comply with all applicable requirements and policies, such as the 2022 Scoping Plan, including demonstrating consistency with Table 3 of Appendix D. No further response is required.

*Response to CARB-2*
The comment is noted. Please refer to *Response to CARB-1*. Future development projects associated with the implementation of the proposed project would be required to demonstrate consistency with Table 3 of Appendix D of the Scoping Plan, as applicable, including providing EV charging infrastructure meeting the most ambitious voluntary standard in the California Green Building Standards Code (CALGreen).

Additionally, clarifying edits have been made in Section 4, Errata, to revise MM AIR-1c such that future individual development projects would be required to implement EV charging infrastructure in single-family, multi-family, commercial and non-residential uses that meets the most ambitious voluntary standard in the CALGreen Code. No further response is required.

*Response to CARB-3*
The comment is noted. The approach taken to analyze the proposed project's potential impacts from GHG emissions is explained and substantiated in *Response to CARB-1*. As stated by the comment, "Appendix D of the Scoping Plan provides guidance to lead agencies on how to analyze residential and mixed-use projects for consistency with the State's climate goals. One of the recommendations in Appendix D is for projects to incorporate "Key Residential and Mixed-Use Project Attributes that Reduce GHG's", included in Table 3." As stated by the comment, Table 3 is *one* of the recommended methods for analyzing a project's consistency with the Scoping Plan. The comment does not substantiate why Table 3 of Appendix D is the most appropriate method for analyzing consistency with the 2022 Scoping Plan, or why it is a more appropriate method than analyzing the proposed project against Table 1 of Appendix D.

Disagreement amongst experts is not a sufficient reason to set aside an EIR or require subsequent environmental review of a previously adopted EIR. CEQA Guidelines § 15151. Under established CEQA precedent, the Lead Agency may properly accept the determinations and conclusions reached by the experts that prepared the EIR, even though other conclusions could also be reached. *See Eureka Citizens for Responsible Government v. City of* Eureka, (2007) 147 Cal. App. 4th 357, 371-72 (accepting findings on noise impacts despite experts' disagreement over methodology); *Ctr. for Biological Diversity v. Dep't of Fish & Wildlife*, (2014) 224 Cal. App. 4th 1105, 1179-80 (2014) *reversed on other grounds*, 62 Cal. 4th 204 (2015) (one scientist's disagreement with a conservation plan is "not pertinent to the issue of whether the environmental impact report's conclusions are supported by substantial evidence" (citations omitted)). Stated differently, since the function of review of the EIR is limited to determining whether the EIR is supported by substantial evidence, it is not an "abuse of discretion" for a public agency "to give more weight to one set of 'experts' than to another." *Greenebaum v. City of Los Angeles* (1984) 153 Cal. App. 3d 391, 412. The analysis and/or opinions provided within these comments do not demonstrate that the City's analysis is not supported by substantial evidence. Expert opinion that differs from the expert opinion expressed in the Recirculated Draft PEIR does not undermine the fact that there is substantial evidence to support the Recirculated Draft PEIR's conclusions.

The comment states that proposed project should consider implementing significant measures to mitigate VMT and GHG emissions resulting from its location outside of an infill site. As discussed in the Recirculated Draft PEIR, the proposed project is one of several growth areas identified in the

City's General Plan and aligns with the General Plan's policy of balancing growth with infill development. Small farms and community gardens would be integrated into neighborhoods, schools, and town centers, and a buffer that includes rural homes, organic farming, and open spaces serves to transition the proposed project and commercial agriculture to the east. In addition, the General Plan includes a number of policies to support agriculture and preserve natural and working lands within the Resource Conservation and Resilience chapter. Furthermore, the proposed project would be required to implement Mitigation Measures related to agricultural resources, as identified in Section 3.2, Agricultural Resources and Forestry Resources of this document. Furthermore, the proposed project proposes a higher-density mixed-use walkable plan adjacent to city limits and would be served by the City's utilities and public service providers.

The comment stated that the proposed project should consider implementing significant measures to mitigate VMT. As discussed in Section 3.17, Transportation, of the Recirculated Draft PEIR, average VMT per capita under existing conditions for the City of Fresno is 13.1 miles compared to 16.2 miles for the County of Fresno (approximately 19 percent less than the county average). Through the implementation of the General Plan, in 2035, the City VMT per capita (16.5 miles) is forecast to be 17 percent less than the County VMT per capita (19.9 miles). Corresponding numbers for VMT per employee indicate that the City average is forecast to be 13 percent lower than the 2035 County average. This is a greater reduction in VMT than forecast by the Fresno Council of Governments (Fresno COG) in the Regional Transportation Plan (RTP), a 12 percent reduction in VMT for the RTP project. The buildout of the proposed project would serve to further reduce VMT per capita in the region by locating high-density housing near service amenities and jobs. The VMT per Service Population is expected to decrease from 45.72 in the "No Project" scenario to 5.07 in the "With Project" scenario. Furthermore, the Recirculated Draft PEIR mandates numerous mitigation measures in Section 3.17, Transportation, which will reduce VMT and traffic, and transportation-related impacts would be less than significant with mitigation.

In summary, the comment does not provide substantiation on why use of Table 3, Appendix D of the 2022 Scoping Plan, is the most appropriate method for evaluating the proposed project's consistency with the 2022 Scoping Plan. The comment does not provide substantiation on why the proposed project is not infill, according to the citation referenced in the 2022 Scoping Plan. The comment does not provide justification on why the proposed project should implement additional VMT mitigation measures in light of the analysis presented in the Recirculated Draft PEIR. No further response is required.

*Response to CARB-4*
The comment is noted. Please refer to *Response to CARB-1*. The comment states that the project should consider implementing significant measures to mitigate the resulting loss of natural and working lands. As discussed in Section 3.2, Agricultural Resources and Forestry Resources of the Recirculated Draft PEIR, the proposed project would incorporate MM AG-1, which would compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan Area by preserving an equivalent type and quantity of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument, such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses. In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project

proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.

Furthermore, as stated in Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR, the proposed project would integrate small farms and community gardens, as well as a buffer that includes rural homes, organic farming and open space. No further response is required.

*Response to CARB-5*
The comment is noted. Clarifying edits have been made in Section 4, Errata, to revise MM TRANS-1d to consider shuttle and micro-transit service throughout the proposed project. Additionally, the City is planning to continue the bus rapid transit (BRT) into the Plan Area, and the highest density use (Regional Town Center), which provides for up to 70 dwelling units per acre, is planned along that corridor. No further response is required.

*Response to CARB-6*
The comment is noted. The comment notes that the proposed project commits to the completion of a parking study that would establish and adopt parking reduction standards to be applied to Transit, Mixed-Use Districts, land uses with TDM policies, and on-street parking; the comment encourages the City to expand this parking study to include residential uses, and the City will commit to including residential uses within the study.

The comment also states that the cost of parking can be unbundled in multi-family units. Clarifying edits have been made in Section 4, Errata, to revise MM TRANS-1e to unbundle the cost of parking in multi-family residential land uses. No further response is required.

*Response to CARB-7*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CARB-8*
The comment is noted. Clarifying edits have been included in Section 4, Errata, of this document, which reflect that the proposed project would not incorporate natural gas, and therefore, the proposed project would be consistent with the all-electric recommendation of Appendix B of the Scoping Plan. This edit is a clarifying edit to reflect an updated policy within the proposed SEDA Specific Plan that does not constitute substantial new information or a change to the significance findings in the Recirculated Draft PEIR. No further response is required.

*Response to CARB-9*
The comment is noted. Please refer to *Response to CARB-1* through *Response to CARB-8*. No further response is required.

*Response to CARB-10*
The comment is noted. Please refer to *Response to CARB-1* through *Response to CARB-8*. No further response is required.

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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March 21, 2025

FRE-180-R64.104
Southeast Development Area Specific Plan
Recirculated Draft Environmental Impact Report
SCH #2022020486
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/25659

***SENT VIA EMAIL***

Mx. Sophia Pagoulatos
c/o Mx. Adrienne Asadoorian
City of Fresno
2600 Fresno Street Ste. 3065
Fresno, CA 93721
adrienne.asadoorian@fresno.gov

Dear Mx. Asadoorian:

Caltrans District 6 has reviewed the Transportation Impact Analysis (TIA) dated January 30, 2025, for the Fresno Southeast Development Area (SEDA) Specific Plan and offers the following technical comments and recommendations. The TIA is part of the SEDA recirculated draft environmental impact report (DEIR). The proposed development area covers nearly 9,000 acres. It is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the West by Locan, Temperance, and Minnewawa Avenues.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network. 1

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

**1. Queuing and Mitigation Measures (these comments supersede our previous comments):** 2

The TIA conducted a peak hour ramp queuing analysis at project buildout for the following State Route (SR) 180 interchange ramp intersections and SR 180 intersections to assess potential impacts:

1. SR 180 EB Ramp at Clovis Avenue
2. SR 180 WB Ramp at Clovis Avenue
3. SR 180 EB Ramp at Fowler Avenue
4. SR 180 WB Ramp at Fowler Avenue
5. SR 180 EB Ramp at Temperance Avenue
6. SR 180 WB Ramp at Temperance Avenue
7. SR 180 / De Wolf Avenue Intersection
8. SR 180 / Highland Avenue Intersection
9. SR 180 / McCall Avenue Intersection

The TIA references Caltrans' letter dated August 16, 2024, which states that auxiliary lanes can be used for additional vehicle storage. However, Caltrans does not recommend this practice. According to Index 62.1 of the Caltrans Highway Design Manual (HDM), an auxiliary lane is defined as: 2 CONT

*"The portion of the roadway for weaving, truck climbing, speed change, or for other purposes supplementary to through movement."*

The planned use of auxiliary lanes for vehicle storage is inconsistent with their intended function and may result in operational inefficiencies or safety concerns.

Additionally, the TIA identifies locations with potential safety impacts due to vehicle queuing that are not currently recommended for mitigation. Based on Table 12: 2035 Project and No Project Queue Analyses Results, these locations include:

- SR 180 Eastbound Ramp at Clovis Avenue
- SR 180 Eastbound Ramp at Temperance Avenue 3

**Recommendation:** Caltrans recommends that the City of Fresno consider mitigation strategies outlined in Appendix B of the Caltrans Local Development Review Safety Review Practitioners Guidance at these locations to address potential safety hazards caused by vehicle queues.

## 2. Roadway Impact and Complete Streets Considerations

The SEDA project is anticipated to increase traffic volumes on De Wolf Avenue and McCall Avenue, both of which are projected to experience reduced traffic performance by 2035. To accommodate the forecasted growth and enhance north-south connectivity, the proposed widening of these roadways from one lane per direction to two lanes is deemed appropriate.

In alignment with the Fresno Complete Streets Policy (2019), the TIA also recommends upgrading these roadways to Complete Streets standards. Doing so would improve accessibility and safety for all users, including pedestrians, cyclists, and transit passengers. 4

**Recommendation:** To maximize the benefits of the Complete Streets upgrades, Caltrans encourages the City of Fresno to:

- Ensure compliance with Caltrans HDM standards: All Complete Streets improvements should adhere to Caltrans Highway Design Manual (HDM)

standards, including specifications for bike lanes, sidewalks, and pedestrian paths, to promote consistency, safety, and accessibility.

- Enhance future transit stop amenities: When planning for future transit stop locations, consider incorporating appropriate amenities such as shelters, seating, and ADA-compliant infrastructure to improve multimodal access and passenger comfort.

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**3. Multimodal and Active Transportation Considerations**

The SEDA project proposes new pedestrian and bicycle infrastructure and plans for transit connectivity to central Fresno via Bus Rapid Transit (BRT) routes. These features aim to reduce vehicle dependency and support multimodal transportation.

**Recommendation:** To strengthen the project's multimodal connectivity, Caltrans recommends that the City of Fresno consider:

- Incorporating Class IV bikeways (separated cycle tracks) where feasible to enhance cyclist safety.
- Implementing transit signal priority (TSP) at key intersections to improve BRT travel times and reliability.
- Planning for future transit station expansions, including park-and-ride facilities, to accommodate anticipated ridership growth.

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**4. Safety and Collision Considerations**

The Preliminary Safety Assessment identifies 629 reported collisions within the project area between 2019 and 2023.

The report also highlights pedestrian and bicycle incidents, with seven pedestrian-involved collisions and six bicycle-involved collisions.

**Recommendation:** To enhance safety for all road users, Caltrans encourages the City of Fresno to consider the following strategies:

- Enhancing pedestrian visibility through the installation of high-visibility crosswalks and flashing beacons at locations with higher pedestrian activity or collision history.
- Reducing vehicle speeds in areas with frequent conflicts by implementing traffic calming measures and targeted enforcement.
- Improving roadway design by incorporating features such as curb extensions and pedestrian refuge islands, which can reduce crossing distances and enhance safety.
- Strengthening bicycle infrastructure by incorporating protective elements, such as separated bike lanes, to enhance safety and comfort for cyclists.

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**5. Vehicle Miles Traveled (VMT) and Trip Generation Considerations**

The SEDA project is projected to generate:

- 94,477 PM peak hour trips
- 866,452 total daily trips

7

The project's mixed-use design is expected to reduce VMT impacts by shortening travel distances for residents' daily needs.

Recommendation: To further mitigate VMT impacts, Caltrans suggests that the City of Fresno consider:

- Implementing Transportation Demand Management (TDM) strategies, including transit subsidies, carpool incentives, and shared parking facilities.
- Conducting a sensitivity analysis on VMT impacts with and without the planned BRT routes to evaluate the project's reliance on transit infrastructure.

7 CONT

## 6. Conclusion

Caltrans appreciates the opportunity to review the Fresno Southeast Development Area (SEDA) Specific Plan – Transportation Impact Analysis. The comments and recommendations provided are intended to assist the City of Fresno in its evaluation of the project by identifying potential transportation impacts and offering considerations for mitigation and design enhancements.

Please note that the comments provided in this letter are in addition to Caltrans' previous correspondence, including the following:

- Caltrans Comment Letter dated August 16, 2024
- Caltrans Comment Letter dated November 17, 2023
- Caltrans Comment Letter dated August 25, 2023
- Caltrans Comment Letter dated March 18, 2022

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For your reference, copies of these previous letters are attached herein. All comments from the previous letters remain applicable in whole or in part unless explicitly superseded by this letter.

Caltrans remains available to collaborate with the city and provide additional technical support as needed. Should you have any questions or require further information, please feel free to contact Keyomi Jones at (559) 981-7284 or via email at Keyomi.Jones@dot.ca.gov

Sincerely,



David Padilla, Branch Chief,
Local Development Review Branch

Attachments: Caltrans Comment Letter dated August 16, 2024
Caltrans Comment Letter dated November 17, 2023
Caltrans Comment Letter dated August 25, 2023
Caltrans Comment Letter dated March 18, 2022

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) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

August 16, 2024

FRE-180-R64.104
Southeast Development Area Specific Plan
Queuing Analysis
SCH #2022020486
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/25659

***SENT VIA EMAIL***

Mx. Adrienne Asadoorian
City of Fresno
2600 Fresno Street
Fresno, Ca 93721
Adrienne.Asadoorian@fresno.gov

9

Dear Mx. Asadoorian:

Caltrans has completed the review of queuing analysis for the Southeast Development Area Specific Plan.

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

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

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

1. Caltrans recommended that any additional right-turn capacity be achieved through widening rather than reducing left-turn capacity. As a result, the document

now states the queuing analysis spreadsheet has been revised to use auxiliary lanes for additional storage, instead of the originally proposed restriping of the eastbound State Route (SR) 180 off-ramp lanes at Clovis Avenue and Temperance Avenue.

As stated, we request that the city coordinate with Caltrans to determine if and when extending turn lanes at De Wolf and McCall Avenues on SR-180 are necessary to ensure mitigation is in place before approving related development projects.

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

Sincerely,

Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

9
CONT

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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November 17, 2023

FRE-180-64.104
Southeast Development Area
Re-circulated Draft Environmental Impact Report (DEIR)
SCH #2022020486
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/28801

***SENT VIA EMAIL***

Mx. Adrienne Asadoorian, Planner
City of Fresno
2600 Fresno Street
Fresno, CA 93721
adrienne.asadoorian@fresno.gov

Dear Mx. Asadoorian:

Caltrans has completed our review of the Re-circulated Draft Environmental Impact Report (DEIR) for the Southeast Development Area (SEDA) in the City of Fresno. 10

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

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

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

All comments from our previous letter dated August 25th, 2023, regarding the VMT Analysis Comments, still apply.

SR 180 Interchange Queuing Analysis

1. This document provided a peak hour ramp queue analysis at the following State Route 180 interchanges: Clovis Avenue, Fowler Avenue, and Temperance Avenue. It also provided a peak hour queue analysis at the De Wolf Avenue, Highland Avenue, and McCall Avenue intersections along State Route (SR) 180.

The results of this analysis are listed in Table 3-8: 2035 Project and No Project Queue Analyses Results within the document. A substantial amount of the data in Table 3-8 needs to be more accurate. The following irregularities were observed:

A. Odd lane utilization on adjacent turn lanes (e.g., PM Peak Eastbound Clovis Avenue off-ramp, Left (pocket) versus Left (full lane) and PM Peak Eastbound Temperance Avenue off-ramp, Left (pocket) versus Left (full lane)).

B. Low queue lengths are listed at the Eastbound Fowler Avenue off-ramp left-turn lanes. Given the location of this development area, this off-ramp would be expected to receive many project-generated trips with the resulting vehicle queues.

C. Heavy reductions in queue lengths from "No Project Conditions" to "Proposed Project Conditions" at the Clovis Avenue interchange off-ramps.

D. Change values at the McCall Avenue intersection do not show the correct difference between "No Project Conditions" and "Proposed Project Conditions" queue lengths.

2. Given the irregularities, **it is recommended that the values in Table 3-8 be re-examined and updated where required**. Since the Project Specific Mitigation Measures were primarily based on Table 3-8 data, mitigation measures should also be re-examined.

3. Table 3-8 also utilized the full length of the off-ramp as available vehicle storage. This practice neglects the deceleration length needed by high-speed vehicles to come to a stop. The deceleration length should be accounted for on each off-ramp as provided in the Caltrans Highway Design Manual Figure 504.2B (single-lane exit) and Figure 504.3K (two-lane exit).

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4. This document's Project Specific Mitigation Measures MM TRANS-3a and MM TRANS-3c propose the restripe of the eastbound State Route (SR) 180 off-ramp lane configurations at Clovis Avenue and Temperance Avenue. The alteration proposes to replace the existing two left-turn lanes and two right-turn lanes configuration with one left-turn lane and three right-turn lanes. The need for dual left turn lanes at each off-ramp was established during the development of those improvements. The additional capacity needed for right-turns at each ramp should be made through widening, not reducing left-turn capacity.

**A cost estimate to be included in a traffic impact fee program should be prepared once the values in Table 3-8 are reevaluated and updated and the mitigation strategies are revised.**

<u>Funding for Developer-Driven Impacts to State Facilities</u>

1. The Interregional Transportation Strategic Plan does not designate SR 180 as a High Emphasis Focus Route, so the State's portion of the State Transportation Improvement Program cannot be used to fund improvements to the SR 180 interchanges. Possible funding sources include Measure C, the Traffic Signal Mitigation Impact Fee (TSMIF) of the City of Fresno, the Regional Transportation

Mitigation Fee (RTMF) of Fresno County, the Regional Improvement Program, developer mitigation, etc. To deliver "needed" projects, infrastructure improvements in today's funding environment frequently require a variety of funding sources. The City of Fresno should mitigate since the SEDA creates the need for improvements.

2. Caltrans should be involved in reviewing any proposed new developments within the SEDA that would impact SR 180. **It is recommended that any proposed new developments that would impact SR 180 mitigate their impacts by including them in the next updates to Measure C, Fresno County's RTMF, and the City of Fresno TSMIF.** This would ensure the maintenance and improvement of the State facilities due to the absence of an all-inclusive fee program.

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

Sincerely,

Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

10
CONT

C: Sophia Pagoulatos, Planning Manager, City of Fresno

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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August 25, 2023

FRE-180-64.104
Southeast Development Area
Draft Environmental Impact Report (DEIR)
SCH #2022020486
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/28801

***SENT VIA EMAIL***

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

Dear Mx. Asadoorian:

Caltrans has completed our review of the Draft Environmental Impact Report (DEIR) for the Southeast Development Area (SEDA) in the City of Fresno. 11

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

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

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

**DEIR-Traffic Impact Analysis (TIA) Comments:**

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

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

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CONT

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

**VMT Analysis Comments:**

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

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

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

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

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

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

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

11 CONT

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

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

Sincerely,



David Padilla, Branch Chief,
Transportation Planning – North

Attachment: Caltrans comment letter March 18, 2022

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

11
CONT

**ATTACHMENT**
**Caltrans comment letter March 18, 2022**

11
CONT

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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March 18, 2022

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

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

Dear Mx. Monk,

Thank you for the opportunity to review the Notice of Preparation of a Program Environmental Impact Report for the Southeast Development Area Specific Plan. The proposed Southeast Development Area covers nearly 9,000 acres and has the potential to accommodate approximately 45,000 homes by the year 2050. The Plan Area is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the West by Locan, Temperance, and Minnewawa Avenues. 11 CONT

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

1. Caltrans anticipates this development area would add substantial traffic to the State Route 180 interchanges at Clovis Avenue, Fowler Avenue, and Temperance Avenue. The result could be significant speed differentials between the off-ramp queues and the mainline of the freeway. **It is highly recommended that a peak hour ramp queue analysis is completed at each of these interchanges to determine potential impacts.**

2. This development area would also be expected to add traffic to the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall Avenue. The result could be significant speed differentials between the turn lane queues and the through lane traffic caused by insufficient left turn lanes or intersection control. **Therefore, it is also recommended that a peak hour queue analysis is completed at each of these intersections to determine potential impacts.**

3. Future development(s) should also consider traffic safety impacts on the State Highway System due to new pedestrian and bicyclist needs based on new origins or destinations that intersect a State Route. Additionally, multimodal conflict points and change in traffic composition (such as an increase in bicyclists or pedestrians, where features such as shoulders or sidewalks may not exist or are inconsistent with facility design) should be included. The State Route 180 interchanges at Fowler Avenue and Temperance Avenue; and the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall

Avenue should be included in this analysis.

4. Future development(s) should conduct a Vehicle Miles Traveled (VMT) study for projects that may substantially induce Vehicle Miles Traveled (VMT). Pedestrian and bicycle facilities within the project site should be considered in this study. The project proponents should also consider coordinating with nearby planned bike networks for a larger active transportation network. The City should consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System.

5. For future residential development, Caltrans recommends project proponents consider working with the City to convert a portion of the planned residential units to affordable housing units.

6. The City should establish policies for the installation of Level 2 Electric Vehicle (EV) charging for single- and multi-family residential units as well as DC Fast Charging EV charging stations for retail, commercial, park and public facilities.

7. Caltrans recommends the Project implement multimodal strategies, such as those that originate from Transit-oriented development (TOD), in an effort to further reduce future projects' traffic related impacts.

8. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.

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CONT

9. Early engagement with Caltrans is highly requested for future projects that would impact state right-of-way. Furthermore, prior to initiating the traffic study, please include Caltrans in the scoping.

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

Sincerely,

David Padilla, Branch Chief
Transportation Planning – North

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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March 18, 2022

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

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

Dear Mx. Monk,

Thank you for the opportunity to review the Notice of Preparation of a Program Environmental Impact Report for the Southeast Development Area Specific Plan. The proposed Southeast Development Area covers nearly 9,000 acres and has the potential to accommodate approximately 45,000 homes by the year 2050. The Plan Area is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the West by Locan, Temperance, and Minnewawa Avenues. 12

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

1. Caltrans anticipates this development area would add substantial traffic to the State Route 180 interchanges at Clovis Avenue, Fowler Avenue, and Temperance Avenue. The result could be significant speed differentials between the off-ramp queues and the mainline of the freeway. **It is highly recommended that a peak hour ramp queue analysis is completed at each of these interchanges to determine potential impacts.**

2. This development area would also be expected to add traffic to the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall Avenue. The result could be significant speed differentials between the turn lane queues and the through lane traffic caused by insufficient left turn lanes or intersection control. **Therefore, it is also recommended that a peak hour queue analysis is completed at each of these intersections to determine potential impacts.**

3. Future development(s) should also consider traffic safety impacts on the State Highway System due to new pedestrian and bicyclist needs based on new origins or destinations that intersect a State Route. Additionally, multimodal conflict points and change in traffic composition (such as an increase in bicyclists or pedestrians, where features such as shoulders or sidewalks may not exist or are inconsistent with facility design) should be included. The State Route 180 interchanges at Fowler Avenue and Temperance Avenue; and the State Route 180 intersections at De Wolf Avenue, Highland Avenue, and McCall

Avenue should be included in this analysis.

4. Future development(s) should conduct a Vehicle Miles Traveled (VMT) study for projects that may substantially induce Vehicle Miles Traveled (VMT). Pedestrian and bicycle facilities within the project site should be considered in this study. The project proponents should also consider coordinating with nearby planned bike networks for a larger active transportation network. The City should consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System.

5. For future residential development, Caltrans recommends project proponents consider working with the City to convert a portion of the planned residential units to affordable housing units.

6. The City should establish policies for the installation of Level 2 Electric Vehicle (EV) charging for single- and multi-family residential units as well as DC Fast Charging EV charging stations for retail, commercial, park and public facilities.

7. Caltrans recommends the Project implement multimodal strategies, such as those that originate from Transit-oriented development (TOD), in an effort to further reduce future projects' traffic related impacts.

8. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.

12
CONT

9. Early engagement with Caltrans is highly requested for future projects that would impact state right-of-way. Furthermore, prior to initiating the traffic study, please include Caltrans in the scoping.

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

Sincerely,

David Padilla, Branch Chief
Transportation Planning – North

## *California Department of Transportation (CALTRANS)*

*Response to CALTRANS-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CALTRANS-2*
In response to comments from Caltrans on the Notice of Preparation (NOP) for the proposed project and the Draft PEIR, the Partial Recirculated Draft EIR and the Transportation Impact Analysis (TIA) prepared for the proposed project included peak hour ramp queuing analysis at project buildout for State Route (SR) 180 interchange ramps and intersections. The analysis found that at full build out of the Specific Plan, queuing impacts would occur at the SR-180 eastbound ramp at Clovis Avenue and the SR-180 eastbound ramp at Temperance Avenue. Therefore, the Partial Recirculated Draft PEIR included mitigation measures to restripe the lanes on both of the identified ramps to reduce impacts to a less than significant impact as modeling for project buildout determined that restriping was feasible given projected trip generations. As directed by Caltrans during coordination meeting following the public circulation of the Partial Recirculated Draft PEIR, the Recirculated Draft PEIR transportation analysis modeled the use of auxiliary lanes for additional storage for the two eastbound ramps rather than restriping.[1] The analysis found that, with the use of auxiliary lanes, no impact would result at these intersections. As such, no mitigation was required.

As indicated by this comment, Caltrans no longer supports the use of auxiliary lanes to provide additional storage for the identified eastbound off ramps at Temperance Avenue and Clovis Avenues in addition to prohibiting restriping at these locations. In response to this comment, a coordination meeting with Caltrans was held on April 9, 2025, and the City and Caltrans discussed the best approach for addressing potential queuing impacts associated with build-out. During this coordination meeting, Caltrans recommended that the City and Caltrans closely monitor the queueing at these identified interchange off-ramps as individual development projects are considered within the Plan Area. Based on the specifics of the individual proposals, and, if needed as development proceeds, the City shall implement Caltrans approved mitigation at these locations. The mitigation shall be consistent with the mitigation strategies outlined in Appendix B of the Caltrans Local Development Review Safety Review Practitioners Guidance, to address potential safety hazards associated with vehicle queues.

Portions of Section 3.17, Transportation, of the Recirculated Draft PEIR have been revised and clarified in Section 4, Errata, of this Final PEIR to remove the use of the auxiliary lanes at these offramps and include mitigation recommended by Caltrans. The revisions to Section 3.17, Transportation, do not constitute new or more severe impacts and the finding for Impact TRANS-3, which evaluates traffic safety hazards, and the significance finding for TRANS-3 would remain less than significant with mitigation incorporated. No further response is necessary.

[1] This direction was also provided in an August 16, 2024 comment letter provided by Caltrans.

*Response to CALTRANS-3*
This comment is noted. Please refer to *Response to CALTRANS-2*. The applicable mitigation strategies outlined in Appendix B of the Caltrans Local Development Review Safety Review Practitioners Guidance to the proposed project are as follows:

- Transportation demand management program(s) to reduce the project's trip generation, which may include increased transit access, commute trip reductions such as rideshare programs, shared mobility facilities (bicycle or vehicular), increased bicycle and pedestrian infrastructure;
- Investments to existing active transportation infrastructure, or transit system amenities (or expansion) to reduce the project's trip generation; and/or
- Potential change(s) to the ramp terminal operations including, but not limited to lane reassignment, traffic signalization, signal phasing or timing modifications, turn lane extensions to accommodate the additional project traffic.

As further discussed in Section 3.17, Transportation, of the Recirculated Draft PEIR, both the Fresno General Plan and the SEDA Specific Plan include policies that support the preparation of the transportation demand management programs as specified in the first bullet above. General Plan Policy MT-2-g directs the City to pursue implementation of Transportation Demand Management and Transportation System strategies to reduce peak-hour vehicle traffic and supplement the capacity of the transportation system. SEDA Specific Plan Policy UF-8.1 directs the City to develop a SEDA Transportation Demand Management Program consistent with the City's vehicle miles traveled (VMT) policy. Policy UF-8.1 specified that this program should include physical design credits (i.e., bicycle storage, on-site showers, shared parking), lifestyle credits (i.e., on-site child care, telecommuting, flex hour programs), and credits for auto-alternative programs (i.e., shuttle service, subsidized transit, guaranteed ride home programs).

Similarly, both the General Plan and the SEDA Specific Plan contain policies related to active transportation and investments and improvements to the City's and Plan Area's transit trail systems as specified in the second bullet above. General Plan Policies MT-1-j, MT-4-b, MT-4-c, MT-4-h, MT-4-l, MT-5-a through MT-5-d, and MT-8-a through MT-8c all direct the City to implement improvements and investments to bikeways, pedestrian walkways, existing and proposed transit systems and other related features that support active transportation. The Urban Form Chapter of the SEDA Specific Plan contains multiple policies that address active transportation and transit service improvements within the Plan Area in order to create a balanced transportation network accessible to all users. Similarly, the Open Space Chapter of the SEDA Specific Plan contains multiple policies that address trails within the Plan Area and promotes the development of a SEDA Trails Master Plan as well as improvements to curb, gutter, and sidewalk infrastructure.

Additionally, as discussed in *Response to CALTRANS-2*, mitigation included in Impact TRANS-3 as revised in Section 4, Errata, of this Final PEIR, directs the City to coordinate closely with Caltrans to identify when queuing storage on the eastbound ramp intersections at SR-180/Clovis Avenue and SR-180/Temperance Avenue may require changes to the ramp terminal operations. As such, the proposed project includes General Plan policies, SEDA Specific Plan policies, and mitigation measures

that address all of the suggested mitigation strategies outlined in the Caltrans Local Development Review Safety Review Practitioner Guidance as directed by Caltrans. No further response is required.

*Response to CALTRANS-4*
This comment is noted. No environmental issue is raised; however, the recommendations included in this comment will be considered when implementing General Plan and SEDA Specific Plan Policies that address complete street improvements and transit stop enhancements. No further response is required.

*Response to CALTRANS-5*
This comment is noted. No environmental issue is raised; however, the recommendations included in this comment will be considered when implementing General Plan and SEDA Specific Plan Policies that address bikeway improvements, transit signal priority (TSP) improvements, and transit stop enhancements as well as during review of future development when proposed. No further response is required.

*Response to CALTRANS-6*
This comment is noted. No environmental issue is raised; however, the recommendations included in this comment will be considered when implementing General Plan and SEDA Specific Plan Policies that address safety improvements in Plan Area, such as increased pedestrian visibility, reducing vehicle speeds, and improve bicycle infrastructure as well as during review of future development when proposed. No further response is required.

*Response to CALTRANS-7*
This comment is noted. Please refer to *Responses to CALTRANS-2 and CALTRANS-3*. No environmental issue is raised; however, the recommendations included in this comment will be considered when implementing General Plan and SEDA Specific Plan policies in the Plan Area as well as during review of future development when proposed. No further response is required.

*Response to CALTRANS-8*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CALTRANS-9*
This comment is noted. Please refer to *Responses to CALTRANS-2 and CALTRANS-3*. Portions of Section 3.17, Transportation, of the Recirculated Draft PEIR have been revised and clarified in Section 4, Errata, of this Final PEIR to reflect the agreed upon, coordinated approach between Caltrans and the City. The revisions to Section 3.17, Transportation, do not constitute new or more severe impacts and the finding for Impact TRANS-3, which evaluates traffic safety hazards, and the significance finding for TRANS-3 would remain less than significant with mitigation incorporated. No further response is necessary.

*Response to CALTRANS-10*
This comment is noted. Please refer to *Responses to CALTRANS-2 and CALTRANS-3*. Portions of Section 3.17, Transportation, of the Recirculated Draft PEIR have been revised and clarified in Section

4, Errata, of this Final PEIR to reflect the agreed upon, coordinated approach between Caltrans and the City. Part of this approach includes the collection developer impact fees as specific development is approved and constructed in the Plan Area, which combined with other funding sources, will be utilized to make the necessary improvements to the impacted Caltrans facilities. The revisions to Section 3.17, Transportation, do not constitute new or more severe impacts and the finding for Impact TRANS-3, which evaluates traffic safety hazards, and the significance finding for TRANS-3 would remain less than significant with mitigation incorporated. No further response is necessary.

*Response to CALTRANS-11*

This comment is noted. Please refer to *Responses to CALTRANS-2 and CALTRANS-3*. Portions of Section 3.17, Transportation, of the Recirculated Draft PEIR have been revised and clarified in Section 4, Errata, of this Final PEIR to reflect the agreed upon, coordinated approach between Caltrans and the City. The revisions to Section 3.17, Transportation, do not constitute new or more severe impacts and the finding for Impact TRANS-3, which evaluates traffic safety hazards, and the significance finding for TRANS-3 would remain less than significant with mitigation incorporated. Additionally, other comments outside of the queuing analysis have been previously addressed in the Partial Recirculated Draft PEIR and the Recirculated Draft PEIR. No further response is necessary.

*Response to CALTRANS-12*

This comment is noted. Please refer to *Responses to CALTRANS-2 and CALTRANS-3*. Portions of Section 3.17, Transportation, of the Recirculated Draft PEIR have been revised and clarified in Section 4, Errata, of this Final PEIR to reflect the agreed upon, coordinated approach between Caltrans and the City. The revisions to Section 3.17, Transportation, do not constitute new or more severe impacts and the finding for Impact TRANS-3, which evaluates traffic safety hazards, and the significance finding for TRANS-3 would remain less than significant with mitigation incorporated. Additionally, other comments outside of the queuing analysis have been previously addressed in the Partial Recirculated Draft PEIR and the Recirculated Draft PEIR. No further response is necessary.

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

***GAVIN NEWSOM, Governor***
***CHARLTON H. BONHAM, Director***

March 24, 2025

Sophia Pagoulatos, Planning Manager
City of Fresno, Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, California 93721
(559) 621-8062
longrangeplanning@fresno.gov

**Subject: Recirculated Draft Program Environmental Impact Report (RPEIR) for the Proposed Southeast Development Area (SEDA) Specific Plan Project (Project)**
**State Clearinghouse No.: 2022020486**

Dear Sophia Pagoulatos:

The California Department of Fish and Wildlife (CDFW) received a RPEIR from City of Fresno, as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

1

CDFW previously commented on the Notice of Preparation on March 25, 2022, the Draft Program Environmental Impact Report on August 30, 2023, and on the Partial Recirculated Draft Program Environmental Impact Report on November 22, 2023, for this Project. Based on the information provided in the RPEIR, CDFW recommends referring to these comment letters for biological resource surveys and mitigation measures and recommends incorporating these comments to adequately identify and/or mitigate the Project's potential impacts on biological resources. In addition to the

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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recommendations from these comment letters, CDFW offers the following editorial comments and suggestions in order to improve the document.

**Nesting Birds:** CDFW recommends that Project construction be timed to avoid the bird nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified biologist conduct a habitat assessment and analysis of impacts to nesting birds as part of the biological technical studies prior to approval of subsequent projects resulting from this DPEIR. Prior to ground-disturbance activities, surveys for active nests should be conducted, regardless of the initial results, no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests, that could potentially be impacted, are detected. Surveys should cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. 2

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

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**Lake and Streambed Alteration:** The DPEIR acknowledges that there are a number of existing Fresno Irrigation District facilities, most or all of which are modified streams that cross the Project. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq., even when heavily modified. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation): (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins. 3

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to the CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to the CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals. 4

**FILING FEES**

The Project, as proposed, could have an impact on biological resources, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). 5

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**CONCLUSION**

CDFW appreciates the opportunity to comment on the DPEIR to assist the City of Fresno in identifying and mitigating Project impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at marile.colindres@wildlife.ca.gov.

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Sincerely,

DocuSigned by:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

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

## *California Department of Fish and Wildlife (CDFW)*

*Response to CDFW-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CDFW-2*

The comment is noted. Please note that the City of Fresno is the Lead Agency for the Specific Plan and the Recirculated Draft PEIR. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. However, future development within the Plan Area would be required to comply MM BIO-1d, which requires proposed projects that cannot avoid construction during nesting season to conduct a pre-construction clearance survey to determine whether any nesting birds or nesting activity is observed on or within 500 feet of a project site. If an active nest is observed during the survey, a Biological Monitor shall be on-site to ensure that no proposed project activities would impact the active nest. This mitigation measure also indicates that specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. This mitigation measure and the associated analysis is fully discussed in Impact BIO-1 in Section 3.4, Biological Resources, of the Recirculated Draft PEIR.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

*Response to CDFW-3*

The comment is noted. Please note that the City of Fresno is the Lead Agency for the Specific Plan and the Recirculated Draft PEIR. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. However, future development within the Plan Area would be required to comply with MM BIO-2b, which requires proposed projects that would result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the Clean Water Act (CWA). This mitigation measure requires future project applicant/developer for to consult with partner agencies such as CDFW and/or the United States Army Corps of Engineers (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. This mitigation measure and the associated analysis is fully discussed in Impact BIO-3 in Section 3.4, Biological Resources, of the Recirculated Draft PEIR.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

*Response to CDFW-4*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CDFW-5*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CDFW-6*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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March 20, 2025

Via Email: Adrienne.Asadoorian@fresno.gov
Jennifer.Clark@fresno.gov
Sophia.Pagoulatos@fresno.gov

City of Fresno
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With a copy to
Jennifer Clark, Director
Planning and Development Department
c/o Sophia Pagoulatos, Planning Manager
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Fresno, California 93721

SUBJECT: Recirculated Draft Program Environmental Impact Report for the Proposed Southeast Development Area Specific Plan Project (State Clearinghouse No. 2022020486)

In accordance with the instructions set forth in the Executive Summary of the Recirculated Draft Environmental Impact Report ("RDEIR") for the Southeast Development Area Specific Plan Project, the below comments are being submitted anew based upon the election of the City of Fresno (the "City") to decline to provide responses to the previous comments solicited and provided to it with respect to the relevant Project described below.

This comment letter is being submitted on behalf of our client, the County of Fresno (the "County") Department of Public Works and Planning regarding the RDEIR in support of the Southeast Development Area Specific Plan Project (the "Specific Plan"), which is intended to govern future development of the area commonly referred to as SEDA (the "Project"). Please ensure this letter and its referenced enclosures are included in the Record of Proceedings regarding the consideration of the Project by the City. 1

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

Preparation of the Specific Plan for SEDA development is a requirement of the Fresno County LAFCO approval that incorporated SEDA into the City Sphere of Influence, as set forth in LAFCO Resolution USOI-144, a copy of which is attached for convenience of reference. Therefore, the City needs to assure that the Specific Plan incorporates the details intended by Resolution USOI-144. Those elements require a master service delivery plan, and an implementation program for annexing open space

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areas and rural residential neighborhoods. These items were highlighted in Resolution USOI-144 because they involve significant environmental impacts of the intended development of SEDA. However, those requirements have not been adequately addressed in the Specific Plan. As a result, its companion RDEIR fails to adequately evaluate how the Specific Plan's implementation will mitigate the environmental impacts that would be addressed by the intended requirements of Resolution USOI-144. 1 CONT

Resolution USOI-144 does not simply require that those intended programs apply to properties within the boundaries of SEDA. Resolution USOI-144 requires development of a program that addresses annexing rural residential neighborhoods within the City's existing sphere of influence in the vicinity of SEDA, as well as within SEDA. That program, as specified in the Resolution, must address "logical and reasonable development, discourage urban sprawl, preserve open-space and prime agricultural lands, and efficiently provide for government services and encourage orderly development." 2

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

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

The Specific Plan, unfortunately, does not incorporate any such policies. In fact, it makes no reference to Williamson Act Contracts. The RDEIR does make reference to Williamson Act contracts, but simply for the purpose of noting that the Specific Plan is not consistent with existing Williamson Act Contracts, and that it will result in significant impacts on those existing contracts. It further adopts no mitigation measures concerning this impact, and simply confirms this is a significant and unavoidable impact with no available mitigations. It therefore intends to adopt a statement of overriding considerations on such matters. 3

Regarding the requirements of Resolution USOI-144 that the SEDA Specific Plan incorporate a master service delivery plan, the proposed Plan simply asserts that a "pending SEDA Public Facilities Financing Plan", will address important elements of the Plan. It defers that financing plan, and thereby fails to satisfy the requirement of 4

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Resolution USOI-44 that these arrangements be incorporated into the Specific Plan. (See Specific Plan-Planning Context, Complete A Public Facilities Financing Plan, p.3; Policy RC-3.3, Water Recycling-Residential Landscaping and Small Farms and Community Farming, p.104; Policy RC-4.1, Minimizing Groundwater Extraction, p. 105; Policy RC-4.2, Replacement of Extracted Groundwater, p.105; Policy RC-4.3, Maximizing Groundwater Recharge, p.105; Policy RC-6, Water Supply and Delivery, p. 107; Policy RC-6.1, Site Development-Level Water Supply and Delivery Systems, p. 107; Policy RC-6.3, Flood Control and Stormwater Management-Sub-Area or Development Proposal delivery, p. 108; Policy RC-6.4, Flood Control and Stormwater Management-Shared Resources and Infrastructure, p. 109). The plan to finance these public facilities, which are so important to addressing environmental impacts, were intended to be addressed in the Specific Plan. This has not been done. The RDEIR simply notes that the Financing Plan will be a subsequent element of the Project, and assumes its components will adequately address the Specific Plan's requirements, including intended elements of intended environmental mitigations (See RDEIR Policy RC-3.3, Small Farms and Community Farming, at p. 3.18-48). 4 CONT

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

B. <u>The Project Lacks Sufficient Planning Details to Permit in an Adequate EIR Analysis of Its Potential Environmental Impacts</u>.

A fundamental purpose of CEQA is to "inform the public and responsible officials of the environmental consequences of their decisions before they are made. (*Stanislaus Natural Heritage Project v. County of Stanislaus, supra*, 48 Cal.App.4th at 190). In addition, an EIR "should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences." (CEQA Guidelines section 15151). It is true that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (CEQA Guidelines section 15146). In this instance, the project is a specific plan, and the City's Specific Plan fails to provide the information generally 5

required for specific plans under Government Code section 65451.1 The RDEIR therefore fails to satisfy CEQA's requirements because the Project, which it evaluates, is too vague to permit sufficient environmental impact evaluation. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193, *Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655, 674).

Standard provisions of a specific plan should include details for the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities needed to support the land uses described in the plan. (Government Code section 65451(a)(2)). In addition, a specific plan generally includes a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the development of the land uses intended by the plan. (Government Code section 65451(a)(4)). However, the Specific Plan lacks sufficient detail concerning such matters. As noted above and below, the Specific Plan defers preparation of both its intended infrastructure financing plan, and its zoning standards, which will subsequently establish the intended development densities and other regulations for its land use designations. 5 CONT

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

For example, the Specific Plan attempts to address the qualities of the size, density, composition and building character of its extensive complement of new Mixed-Use Districts, by requiring that they be consistent with new zone district standards to be adopted in the future, as part of a SEDA Development Code update. (Specific Plan, at Policy UF-2.2 Development Code Update, p. 27). Some density 6

[1] Because the City is a Charter City, the requirements of Government Code Section 65451 do not apply to it unless it has otherwise confirmed, by ordinance or resolution, an intention to comply with such provisions. (Government Code sections 65700 and 65803). However, in this instance the requirement of preparing the Specific Plan is an element of LAFCO Resolution USOI-144. By accepting the benefits of that Resolution, the City has committed to be bound by its requirements. Whether Resolution USOI-144 intended that the Specific Plan satisfy the minimum thresholds established in Government Code Section 65151 is a matter of interpretation for LAFCO to address. However, in addition to not satisfying the minimum statutory requirements of a specific plan, as noted in Section A, the Specific Plan also does not satisfy the express requirements of Resolution USOI-144, resulting in its failure to address important environmental consequences of the Specific Plan. 5 CONT

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standards are described for some of the new land use categories. However, the Plan confirms that those density standards, and other aspects of the development standards and regulations, are to be set forth in the presently undefined Development Code update. That updated code will replace all previous zoning designations and will supersede the General Plan and all applicable Specific Plans, including the SEDA Specific Plan. (Specific Plan, page 39). The failure to incorporate meaningful details of those standards in the Specific Plan fails to address these important aspects of the Specific Plan's intended scope of development, and results in an inadequate CEQA evaluation of its environmental impacts.

6 CONT

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

C. <u>The RDEIR Confusingly Describes Its Level of Analysis as Both a Project Level Analysis and a Programmatic Analysis – Whichever It Is Intended to Be Needs to be Clarified.</u>

Section 1.1.2 (page 1-1) of the RDEIR states that the document provides a "project-level analysis of the environmental effects of the proposed project." However, other provisions of the RDEIR, including at Section 2.5.1, describe the EIR as providing a "program-level analysis". It further states that subsequent project-level environmental review will be conducted if required by CEQA.

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The reader is therefore confused as to what extent of analysis the RDEIR is intending to accomplish. This inconsistency in the REDEIR's description of that intended goal must be clarified.

D. <u>The Project Is Inconsistent With Relevant Provisions of the City's General Plan - The Impact of This Inconsistency Was Not Analyzed in the RDEIR</u>.

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

8

The Specific Plan intends to assure its consistency with the General Plan by the City later adopting amendments to the General Plan to incorporate its new land use

designations. While that is not unusual, what is unusual is that the zoning standards applicable to the implementation of the new land use designations are also being deferred until sometime into the future. As a result, the environmental impacts of the new Specific Plan's land use designations cannot be meaningfully evaluated unless and until those zoning standards are available for public review and comment.

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

Instead, the Specific Plan states that its goal is simply "to set a clear vision for how Southeast Development Area will develop over time". (Specific Plan, page 16, at "Next Steps: Setting the Stage for Implementation"). The Specific Plan's required program for comprehensive provision of public infrastructure is instead deferred by proposing that the City Council will, at some subsequent time, "direct which financing options to pursue", and will then complete a Public Facilities Financing Plan. (Specific Plan, page 17, at "Complete a Public Facilities Financing Plan"). 8 CONT

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

In addition, the General Plan, in its commentary under Implementing Policy UF-13.a, confirms that a Specific Plan is intended to further define the requirements and regulations of the General Plan "to coordinate more discreet land use and transportation design integration and intensity with necessary public facilities, maintenance, and services financing" for the relevant development area. Though the Specific Plan does identify some major infrastructure requirements, it does not indicate how such infrastructure is designed to integrate with the intensity of the intended development, because important facets of that density is deferred to a future SEDA Development Code update. 9

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

The RDEIR takes the limited information included in the Specific Plan and makes the conclusion that the Project will be consistent with the General Plan policy that calls for planning and design of roadway systems to meet LOS D on major roadways. The sole assurance of this is the statement that "Roadway improvements to increase capacity and maintain LOS standards would be planned and programmed based on the total overall needs of the roadway system, recognizing the priority of maintenance, rehabilitation, and operation of the existing road system." (RDEIR at p. 3.17-32). However, the actual impact on existing roadways is nowhere detailed in either the Specific Plan or its RDEIR. This is presumably because, without any understanding of the density of developments in the land use designations, the projected traffic demands on specific roadways cannot be fairly estimated.

The RDEIR does incorporate the queuing analysis for impacts on the State High system interchanges, requested by Caltrans in its Comment Letter dated August 25, 2023. However, that analysis is based on modeling data that apparently does not incorporate specific densities of specific land areas. This is confirmed by the statement in Section 3.17.6 of the RDEIR, at page 3.17-36, which cautions that "*As previously discussed, the proposed project does not approve or entitle any specific development and specific project design is unknown at this time.*" Therefore, the queuing analysis does not address the criticism that the Project lacks sufficient planning details to permit an adequate analysis of the Project's potentially significant environmental impacts. 9 CONT

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

Other more technical inconsistencies between the General Plan and the intended Project are also not evaluated or addressed. For instance, page 3.17-32 of the RDEIR states that the Project will be consistent with the City's General Plan policy of planning and designing roadway systems to meet LOS D on major roadways. However, page 11 of the Traffic Impact Analysis says that SEDA Specific Plan calls for a standard of LOS E or better, which is the standard used in the relevant traffic analysis.

Further, at page 3.17-24 the analysis includes Policy UF-5.7, which states that for arterials, collectors and local streets (both intersections and segments) at peak traffic hours, LOS E applies, but that LOS F would apply in areas with transit, including in an around mixed use districts. This standard is driven by a stated goal of not having more than four through lanes on the roadway facilities (other than portions of Jensen and Temperance). 10

We understand that the traffic impact analysis indicates that none of the road segments it evaluated would fall below LOS D. However, no analysis was set forth for any relevant intersections other than those requested by Caltrans in the recently distributed queuing analysis.

The analysis intended by the RDEIR is therefore inadequate because of the lack of the intersection LOS analysis.

In addition, based on the above inconsistent statements about the applicable regulatory standard, it is not clear what LOS standard would apply, if and when an appropriate intersection analysis is conducted. Further, it appears that the lack of an intersection analysis of LOS standards is due to the lack of fully determined density standards and land uses applicable to various elements of the Project, which the City intends to defer until the adoption of a future SEGA development code. It is also therefore unclear how the queuing analysis or the road segment analysis that are included have sufficient information to provide an adequate analysis of the impacts, regardless of the uncertainty of the LOS Standards that the RDEIR intends to apply. 10 CONT

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

The Specific Plan intends to defer the designation and adoption of density and land use standards until adoption of the SEDA Specific Plan Development Code. (Specific Plan, page 39). This is not simply the deferral of refinements to the Specific Plan's intended policies. These undefined Development Code updates are instead intended to have such importance to the intended development area that they will replace all previous zoning designations and will supersede the General Plan and all applicable Specific Plans, including the SEDA Specific Plan. (Specific Plan, page 39). Where, as here, the most consequential elements the Specific Plan's standards of development are not disclosed to the public or other agencies, no meaningful environmental evaluation of its environmental impacts can be sufficiently conducted. 11

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

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

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

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

However, the existing land uses allocated to SEDA in the General Plan already establishes a buffer. The General Plan states that this is to be a permanent buffer area, designed to separate and preserve long-term agriculture outside of the eastern SOI boundary from urban uses inside the SOI Boundary. (General Plan, p. 3-25). Table 15-802 of the City Development Code sets forth the limited uses that can be conducted within that Buffer zone, with manufactured housing, and secondary units, being the sole housing type permitted.

The Specific Plan proposes to abolish this existing adopted Buffer zone in the SEDA area. It instead intends to allow Rural Cluster Residential uses in the area of lands previously designated with the Buffer Zone. The RDEIR states that this Rural Cluster Residential uses will serve as a transitional buffer, and states that this area will provide average gross density of 0.1 to 0.5 units per acre.[2] This change in the uses permitted in the Buffer can be seen by comparing Map 2.4, SEDA General Plan Land Use (Existing), with Map 2.5, SEDA Proposed Land Use Map, at pages 21 and 22 of the Specific Plan. 12

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

The RDEIR asserts that no feasible mitigation measures to address this impact are available. However, the proposed Specific Plan's change in the General Plan's Buffer zone exacerbates the impact. One feasible mitigation measure would therefore be the retention of the General Plan's established Buffer zone. Where, as here, the RDEIR is intending to amend a prior mitigation measure of the existing General Plan, the RDEIR must discuss the reasons that justify any change to the Buffer zone, and the

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

potential consequences of allowing new Rural Cluster Residential uses within its environs. That discussion is particularly important where the RDEIR otherwise determines this impact is significant, and unavoidable. The RDEIR should be updated to include this discussion, and should then be recirculated. 12 CONT

G. Rather Than Rely Upon the Undefined Standards of Mitigation Measures MM Ag-1.1 and AG-2, the City Must Defer Adoption of the Specific Plan Until It Adopts the Farmland Preservation Program Intended by General Plan Policy Rc-9-C.

The RDEIR, at p. 3.2-17, details the intention of the General Plan Policy RC-9-b to implement a Farmland Preservation Program. It seeks to assure that such a program, when adopted, will ensure mitigation of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Until the program is adopted, the RDEIR intends to implement, through MM AG-1.1 and MM AG-2, an ad hoc mitigation program whose standards are not fully defined.

The City adopted General Plan Policy RC-9-b over a decade ago, on December 18, 2014. It has had much time to prepare an appropriate program that addresses the intentions of that mitigation standard. Continuing in place an arrangement for ad hoc mitigations, based upon ill-defined standards, is not an acceptable alternative to a defined and adopted uniform program and policy that General Plan Policy RC-9-b intended. (See *Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156). This is particularly true given the amount of time that has been available to adopt such a program. 13

Rather than adopting MM AG-1.1 and MM AG-2 as a new mitigation measure, the City must defer finalizing this Specific Plan until after the program intended by General Plan Policy RC-9-b is fully adopted. Only then can both the agricultural community and the development community understand the requirements for development within the Plan where relevant farmland is being impacted. MM AG-1.1 and AG-2, standing alone, have insufficient performance standards to satisfy appropriate standards for deferred mitigation. It does not address potentially appropriate exemptions and exclusions, or the locations of lands covered by conservation easements or mitigation banks. It thereby leaves too many aspects of the arrangement too ill defined to fully assess its efficacy.

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

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ATTORNEYS AT LAW



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

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

A phasing program is therefore a tool that can help achieve many of the objectives of the Specific Plan's requirements set forth in LAFCO Resolution USOI-144, Section 8-3, regarding the Project's impacts on existing rural residential neighborhoods. It is also an important tool to mitigate the impact on farmland conversions, which is particularly important where, as here, the RDEIR finds that such impacts cannot be mitigated and are otherwise a significant an unavoidable circumstance. Even where that circumstance exists, CEQA nevertheless requires that all feasible mitigation measures are adopted. Yet, in this instance the Phase plan, while promised, is not adopted and is therefore not available as a mitigation tool. 14

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

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

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

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

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

The Plan and the RDEIR simply state that the existing uses on those parcels will remain protected under the Annexation Overlay Ordinance, codified in Section 15-1606 of the Municipal Code. (Specific Plan, p. 29, RDEIR, p. 2-12). Those Municipal Code provisions do protect a range of existing uses. However, it allocates such uses and their structures to legal nonconforming status. That status may create difficulties with lenders and buyers of property, and the imposition of those constraints are not consistent with protecting the maintenance of such rural residential uses. That legal nonconforming status will also hinder appropriate expansion of existing legal nonconforming structures that may be reasonable and desirable to maintain thriving rural residential neighborhoods.

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

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

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

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J. Elements of the RDEIR's Mitigations of Water Supply Impacts Need Clarification.

The Specific Plan, at p. 105, under Policy RC-4.2, states that the North Kings Groundwater Sustainability Plan was approved in 2019. The Plan approval was subject to subsequent review and approval by the Department of Water Resources, and that plan was conditionally approved by the Department of Water Resources in 2023. It was subsequently updated by the North Kings Groundwater Sustainability Agency in January 2025 to address corrective actions identified by the Department of Water Resources. The RDEIR does not address any of the elements that were revised in the January 2025 update to that Plan.

More importantly, Policy RC-4.2 states that all groundwater drawn to serve development in the SEDA will be replaced "with at least an equal volume via infiltration, pumping or other means". However, both the Specific Plan and the RDEIR fail to explain how groundwater is to be replaced by pumping, or what the other means are that it intends to reference. 16

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

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

The RDEIR includes, as an appendix, a Water Technical Study prepared by Blair, Church, and Flynn Consulting Engineers in 2023 (the "Water Study"). The Water Study identifies surface water supplied from both the United States Bureau of Reclamation (USBR) and the Fresno Irrigation District (FID) through existing agreements for groundwater recharge and potable use after treatment. According to the Water Study, the most recent FID agreement signed in 2016 provided for a maximum of 29% of FID's Kings River water supply to be available to the City. It is unclear per the FID agreement whether the water supply was intended for use within the Specific Plan boundary. The FID agreement, specifically Section 13.(c), states that "City and District mutually agree that the increase in percentages reflected in this Section 13 include allowances for moderate growth in Growth Area 1 of City's Sphere of Influence as shown in Exhibit C (as depicted as Figure IM-2 of the Fresno General Plan)." The RDEIR must be revised to clarify this issue. 17

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Mitigation Measure HYD-2b requires that the City must, prior to approving a development for the Plan Area, determine whether the proposed development would exceed existing water supply capacity, and shall if it does, the City shall provide additional capacity through water system improvements in accordance with the City Metropolitan Water Resources Management Plan. We recommend that some threshold be adopted to confirm that there is a trigger, prior to the actual point of exceeding existing water supply capacity, when the evaluations will be performed, and when the improvements will be required. 18

The RDEIR, at page 3.18-36, advises that the City is in the process of updating its Metropolitan Water Resources Management Plan (the "Metro Plan"). Mitigation Measure HYD-2d provides that new and expanded groundwater recharge facilities will be in accordance with that plan, and that those measures will be completed prior to new applications for future development in the Specific Plan. However, because the Metro Plan has not yet been updated, it is unclear how HYD-2d can be an effective mitigation measure when the standards that may be included in that Metro Plan update have not yet been determined. It is also unclear whether full construction of all intended recharge facilities within the Specific Plan, as identified by the Metro Plan, will be completed as part of the requirement that new and expanded recharge facilities will be completed prior to new applications for future development. This element of the Mitigation Measure should be clarified. These requirements could also be better assured if the Specific Plan incorporated a phasing program that focused development of necessary public facilities on the areas intended for priority development. 19

K. Conclusion.

Based on the foregoing, we respectfully request that the City not consider the Project RDEIR until after there have been appropriate updates to the Specific Plan and the RDEIR, to address the matters detailed above. 20

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

Jeffrey M. Reid

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

Enc. LAFCO Resolution USOI-144

**RESOLUTION NO. USOI-144**

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Acting as a Responsible Agency under CEQA Guidelines, the Final Master Environmental Impact Report prepared for the 2025 Fresno General Plan by the Lead Agency, the City of Fresno, has been prepared in accordance with the requirements of CEQA Guidelines (Public Resources Code, Section 21000 *et seq.*) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines – California Code of Regulations, Title 14, Section 15000 *et seq.*).

2. This Commission considered the information in the Final Master Environmental Impact Report and the Initial Study upon which the Lead Agency determined said project to be within the scope of the "Master Environmental Impact Report (MEIR) No. 10130" prepared and certified for the 2025 Fresno General Plan, prior to making a determination about the Proposal, together with any and all comments received during the public review process pursuant to the California Environmental Quality Act (CEQA), and finds on the basis of the whole public record before the Commission, including the Final Master Environmental Impact Report and the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Lead Agency's determination pursuant to Section 21151.1 of the California Public Resources

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

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

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

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

**SECTION #4** – This Commission finds that, pursuant to California Government Code section 56426.5(b)(1)(2) the proposed SOI revision will facilitate planned, orderly, and efficient patterns of land use and provision of services. The public interest in the change of organization substantially outweighs the public interest in the continuation of existing Williamson Act Contracts in the affected territory beyond the current expiration date of said Contracts. Additionally, the change of organization is not likely to adversely affect the continuation of said Contracts beyond their current expiration date. In making this determination, the Commission considered all relevant factors pursuant to California Government Code section 56426.5(b)(2)(A-C). 21 CONT

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

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

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

1. The proposed Sphere of Influence expansion will accommodate anticipated growth needs of the City of Fresno in the affected area, and, with certain recommended conditions for future annexations therein, will provide for all existing and planned uses.

2. The present and probable needs for public facilities and services in the area will be provided for as identified in the MUNICIPAL SERVICE REVIEW AND SERVICES PLAN

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

3. The present capacity of public facilities and adequacy of public services that the City provides or is authorized to provide have been adequately identified in the MUNICIPAL SERVICE REVIEW AND SERVICES PLAN prepared by the City of Fresno, and additional facilities needs will be identified and addressed during the preparation and adoption of the Community or Specific Plan for the Southeast Growth Area as required in conditions 1 and 2 of Section 8, below.

4. No social or economic communities of interest have been identified in the subject area that are deemed relevant to the Commission.

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

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

1. Prepare and adopt a Community or Specific Plan for the Southeast Growth Area, including the preparation, public review, and certification of environmental documents and findings pursuant to CEQA. This plan shall include, but not be limited to, policies to address the requirements of Section 56426.5 of the California Government Code for lands subject to Williamson Act contracts.

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2. Prepare and adopt a Master Service Delivery Plan for the Southeast Growth Area.

3. Prepare, adopt and begin to implement a program for annexing the designated open space areas in the approach corridor of the Fresno Air Terminal (areas designated with an "R" on the 2025 General Plan map), and for rural residential neighborhoods within the City's existing Sphere of Influence in the vicinity of the Southeast Growth Area. This program shall provide for logical and reasonable development, discourage urban sprawl, preserve open-space and prime agricultural lands, efficiently provide for government services, and encourage orderly development.

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

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

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

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

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

**AYES:** Commissioners Lopez, Rodriguez, Fortune, Alternate County Commissioner Larson, and Waterston.

**NOES:** None

**ABSENT:** Anderson

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CONT

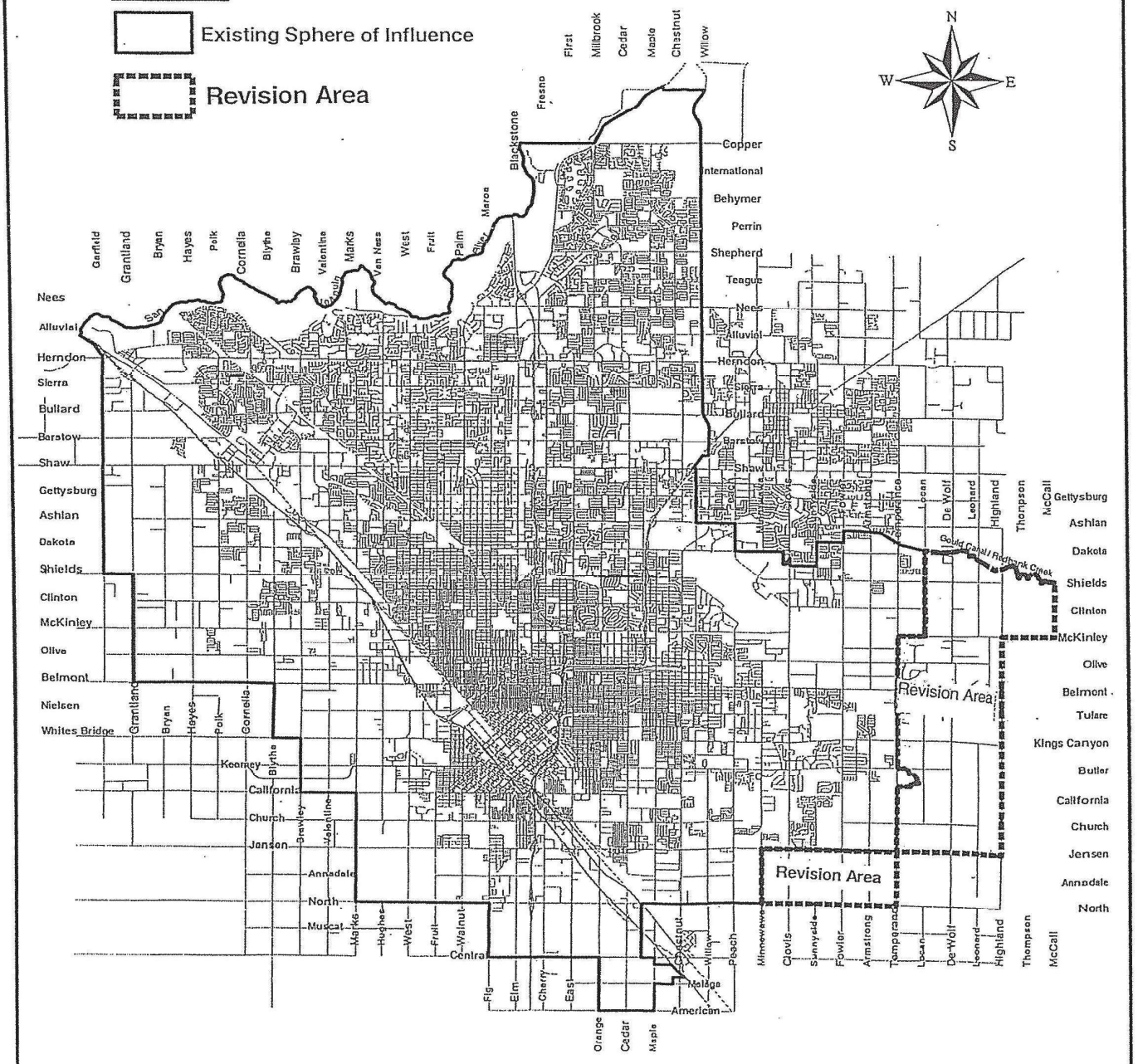
**STATE OF CALIFORNIA )**
**COUNTY OF FRESNO )**

**CERTIFICATION OF CHAIRMAN**

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

**Bob Waterston, Chairman**
**Fresno Local Agency Formation Commission**

# EXHIBIT "A"
# RESOLUTION NO. USOI-144




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## Local Agencies

### *County of Fresno Department of Public Works and Planning (COUNTY)*

*Response to COUNTY-1*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. The City is aware of the requirements of LAFCo Resolution No. USOI-144 and is committed to compliance with all requirements and recognizes that, as the agency with jurisdiction over annexations, Fresno LAFCo requires that the conditions of the resolution be met prior to their approval of any annexation into the City. While the City is the Lead Agency for the proposed project and has primary responsibility for implementation and approving the discretionary actions required for such implementation, the Fresno LAFCo has jurisdiction over the annexation process, which is a separate application and approval process from the City's discretionary actions.

Adoption of the Specific Plan in and of itself does not automatically effectuate annexation of parcels within the plan boundary into the City. Prior to the initiation of annexation proceedings, the City anticipates completing the remaining provisions set forth in Resolution No. USOI-144. No further response is required.

*Response to COUNTY-2*
This comment regarding the Specific Plan is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. As noted aboved, at the time annexation is proposed as part of the Specific Plan, the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, as discussed in Master Response 4, Future Implications of Annexation, when annexation of specific parcels is proposed and considered for approval as part of future development under the Specific Plan, the Fresno Municipal Code provides for the Annexed Rural Residential Transitional (ANX) Overlay District, which allows rural residential use of properties upon annexation to the City continuing until such a time as the properties are further developed consistent with the Base District. It also discusses the County's Right-to-Farm ordinance which would apply to existing agricultural uses in the Plan Area. No further response is required.

*Response to COUNTY-3*
This comment is noted and is part of the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. The comment does not suggest any relevant mitigation measures related to Williamson Act properties nor does it question the Recirculated Draft PEIR's conclusion of a potential significant and unvoidable impact. The City will comply with the requirements of Government Code Section 51243.5 and 51246 as applicable to Williamson Act Contracts and will evaluate each contract on an individual basis. Specific Plan Policy CF-1.4 directly addresses the City's commitment to parcels with Williamson Act contracts in that it will not facilitate early termination of such contracts. Furthermore, the Specific Plan contains various policies related to agricultural resources, such as Policy UF-1.6, which establishes right-to-farm practices in accordance with the Fresno County Right-to Farm Ordinance,

Policy CF-1.1 through 1.3, which aim to reduce development pressure on farmland outside of the City's SOI and discourage the conversion of strategic farmland outside of the SOI; and Policy CF-3.2 through CF-3.4, which support small farms and community farming to expand viable farming in the Plan Area. No further response is required.

*Response to COUNTY-4*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. A Public Facilities Financing Options Report will be made available to the public and will be presented to the City Council for review when the City Council considers the Specific Plan.

The City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

It is well established in CEQA that the scope of an EIR's analysis of potential future environmental impacts is limited by the extent of detail provided in the project description and is guided by priciples of reasonableness and practicallity. A more general analysis is appropriate when the EIR evauates a general policy or planning proposal. (See State CEQA Guidelines § 15146). Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to COUNTY-5*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

California Government Code Sections related to local planning activities generally do not apply to a charter city unless they are specifically identified as applicable to charter cities or are independently adopted by local ordinance. While certain sections of the Government Code relating to plan consistency are identified as applicable to charter cities, Section 65451, which lists the required contents of a specific plan, is not (California Government Code § 65700). Because the City is a charter city and has not independently adopted an ordinance incorporating the provisions of Section 65451, they do not apply to the City and do not govern the contents of specific plans within the City. Nevertheless, in addition to setting forth planned land uses, implementing policies, and anticipated revisions to the City's Zoning Ordinance, the proposed project also incorporates several technical studies by reference that provide details regarding the provision of infrastructure for the facilities in

the Plan Area, including water, wastewater, recycled water, storm drainage, as well as a WSA. In this way, the proposed project provides sufficient detail to inform the public and decision-makers of the potential consequences of the proposed project, thus facilitating informed decision-making.

The Recirculated Draft PEIR evaluates the project-specific transportation impacts of the buildout of the proposed project in Section 3.17, Transportation and Traffic, the Partial Recirculated Draft PEIR, Transportation and Traffic chapter, and the Traffic Impact Study prepared for the proposed project included in Appendix H of the Recirculated Draft PEIR. It also evaluates project-specific utilities and service system impacts of the buildout of the proposed project in Section 3.18, Utilties and Service Systems, of the Recirculated Draft PEIR, as well as the WSA, Water Technical Study, Recycled Water Technical Study, Wastewater Technical Study, and Storm Drain Technical Study prepared for the proposed project included in Appendix I of the Recirculated Draft PEIR.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to COUNTY-6*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

California Government Code Sections related to local planning activities generally do not apply to a charter city unless they specifically are identified as applicable to charter cities or are independently adopted by local ordinance. While certain sections of the Government Code relating to plan consistency are identified as applicable to charter cities, Section 65451, which lists the required contents of a specific plan, is not (California Government Code § 65700). Because the City is a charter city and has not independently adopted an ordinance incorporating the provisions of Section 65451, they do not apply to the City and do not govern the contents of specific plans within the City. Nevertheless, in addition to setting forth planned land uses, implementing policies, and anticipated revisions to the City's Zoning Ordinance, the proposed project also incorporates several technical studies by reference which include details regarding the provision of infrastrucutre for the following facilities in SEDA: water, wastewater, recycled water, storm drainage, and a WSA. In this way, the proposed project provides sufficient detial to inform the public and decision-makers of the potential consequences of the proposed project, thus facilitating informed decision-making.

Chapter 2, Project Description, of the Recirculated Draft PEIR details the land uses and land use patterns intended for the Plan Area. Table 2-1 of the Recirculated Draft PEIR identified proposed acreages of each of the uses proposed under the Specific Plan and describes each of the uses included the allowed uses and the density limits in most cases. Pursuant to Fresno Municipal Code section 15-104, adoption and amendments of plans require corresponding amendments to the Fresno General Plan and any other applicable plans to ensure consistency between all land use plans affecting a parcel, which is in compliance with the California Government Code. Future development under the proposed project would be required to be consistent with the SEDA Development Code prior to approval. Therefore, no specific development under the proposed project would be approved until the SEDA Development Code is adopted by the City. No further response is required.

*Response to COUNTY-7*
The comment is noted. The statement on Page 1-1 referenced in the comment has been edited in Section 4, Errata, of this Final PEIR. The PEIR provides a program-level analysis of the environmental effects of the proposed project and incorporates project-level mitigation measures for future discretionary projects that would occur under the implementation of the proposed project. No further response is required.

*Response to COUNTY-8*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-6*. The SEDA Development Code would be adopted prior to the approval of future development under the Specific Plan. As previously stated, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis, as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Please refer to the Recirculated Draft PEIR technical studies incorporated by reference in the Specific Plan. These studies contain details regarding proposed infrastructure in the Plan Area.

As discussed in Section 3.11, Land Use and Planning, of the Recirculated Draft PEIR, the General Plan Guidelines published by the Governor's Office of Planning and Research define consistency as follows: "An action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment." Therefore, the standard for analysis used in the Recirculated Draft PEIR is based on general agreement with the policy language and furtherance of the policy intent (as determined by a review of the policy context). The Recirculated Draft PEIR includes a comparison of the proposed Specific Plan's characteristics with all applicable objectives outlined in the General Plan as they relate to land use. This comparison is presented in Section 3.11, Land Use and Planning, Table 3.11-1. Because Section 1.3 of the Fresno General Plan is not a formal policy, it is not included in the comparison table noted above; Instead, the proposed project demonstrates compliance with the narrative included in Section 1.3 of the General Plan through reference of the Technical Studies and through the accompanying Public Facilities Financing Options Report.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to COUNTY-9*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-6* and *Response to COUNTY-8*. As previously stated, the proposed project is a policy-level document and does not propose any site-specific development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As part of the standard development review process, the City will require all future proposed development of parcels to go through a review of pedestrian, bicycle, and transit facilities in the area surrounding the individual development project to ensure that future developments do not conflict with existing or planned facilities supporting those travel modes. All pedestrian, bicycle, and transit facilities proposed would be designed in accordance with the appropriate design standards. Additionally, Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR and the Partial Recirculated Draft PEIR, Transportation and Traffic section, includes several mitigation measures that address the need for expanded transportation facilities.

As discussed in Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR and the Partial Recirculated Draft PEIR, Transportation and Traffic section, the proposed project would have a less than significant impact on the existing roadways within the project area. Certain roadways within the Plan Area would be upgraded into a network of Complete Streets as defined by the Fresno Complete Streets Policy adopted in 2019. The analysis evaluates the proposed maximum densities for each land use within the Plan Area at buildout and demonstrates that the proposed project would result in Level of Service (LOS) D or better on modeled roadways, which would be consistent with proposed Specific Plan Policy UF-5.7 and General Plan Policies MT-1-k and MT-2-i. Further, buildout of the proposed project is expected to result in a reduction in VMT from 45.72 to 5.07 because the transition from a mostly rural area to a developed, urbanized mixed-use area results in a corresponding reduction in VMT.

Further, a Partial Recirculated Draft PEIR, which was circulated to the public for review and comment between October 3, 2023, and November 17, 2023, included a revised Traffic and Transportation section that included a queueing analysis of the SR-180 intersections and interchanges requested by Caltrans, and the Recirculated Draft PEIR further revised this queuing analysis to address comments requested by Caltrans. Please refer to Section 3.17, Transportation and Traffic, of the Recirculated

Draft PEIR for more information related to the potential queueing impacts at the SR-180 intersections and interchanges requested by Caltrans. No further response is required.

*Response to COUNTY-10*
The comment is noted. As discussed in Section 3.17, Transportation and Traffic, the SEDA Specific Plan Policy UF-5.7 identifies the Level of Service (LOS) standards that apply to roadways within the Plan Area to promote Complete Streets and safety. The LOS standards for the Plan Area are as follows:

- LOS E for Arterials, Collectors, and Local (both intersection and segment operations) during peak traffic hours.
- LOS F Exception. LOS F in areas with ample transit, pedestrian, and/or bicycle options, including in and around the Mixed-Use Districts of the SEDA, particularly if achieving a LOS with less delay would violate the four-lane maximum as described above.

Since the proposed project is located in Traffic Impact Zone III (TIZ-III), the General Plan standards require that the project maintain a LOS standard of D or better for all roadway segments according to General Plan Policies MT-1-k and MT-2-I. This standard was discussed in the TIA and Recirculated Draft PEIR as a point of information; however, the SEDA Specific Plan calls for a standard of LOS E or better, which is the standard used in the traffic analysis and the analysis contained within the Recirculated Draft PEIR. As stated in the TIA and Recirculated Draft PEIR, the traffic analysis evaluated the maximum densities allowed for each land use within the Plan Area for the proposed project at buildout and demonstrates that all project study segments in the year 2035 under no project conditions and under project conditions are forecasted to perform at a LOS of D or better. Therefore, buildout of the proposed project would meet the LOS standards determined by the SEDA Specific Plan Policy UF-5.7. For informational purposes, the Recirculated Draft PEIR also identifies that the proposed project would be consistent with General Plan LOS standards.

*Response to COUNTY-11*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-6*. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As previously stated, the proposed project does not approve any specific development at this time. Future development under the proposed project would be required to be consistent with the SEDA Development Code prior to approval. Therefore, no specific development under the proposed project would be approved until the SEDA Development Code is adopted by the City. No further response is required.

*Response to COUNTY-12*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

The function of Rural Cluster District is the same as the Buffer land use designation in the General Plan. The Rural Cluster District, located along the eastern edge of the SEDA, concentrates residential lots within a small, clustered area of a larger parcel or grouping of parcels. This clustering of homes serves to preserve the continuity and viability of the surrounding land for agricultural uses and open space conservation. The Rural Cluster District serves as a transitional buffer between more intense urban uses within the Plan Area and the commercial agricultural operations outside the Plan Area. No further response is required.

*Response to COUNTY-13*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration. The comment recommends that the City defer adopting the Specific Plan until the Farmland Preservation Program, as identified in General Plan Policy RC-9-c is adopted. This comment does not identify an environmental issue. Furthermore, the Recirculated Draft PEIR incorporates MM AG-1, which requires project proponents to compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Plan area by preserving and equivalent type and quantity of land at 1 :1 ratio, determined by a Land Evaluation and Site Assessment (LESA) Model. MM AG-1 further provides that if the City does adopt a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Farmland by complying with the adopted Farmland Preservation Program. No further response is required.

*Response to COUNTY-14*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration. Please refer to Response to COUNTY-1.

The City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. It notes that adoption of the Specific Plan itself would not result in the annexation of any lands into the city limits. However, when annexation of specific parcels is proposed and approved as part of future development under the Specific Plan, the Fresno Municipal Code provides for the ANX Overlay District, which allows rural residential use of properties upon annexation to the City continuing until such a time as the properties are further developed consistent with the Base

District. It also discusses the County's Right-to-Farm ordinance which would apply to existing agricultural uses in the Plan Area. The Specific Plan preserves the existing Rural Residential uses, as it will incorporate the Rural Residential land use designation into the City's General Plan. Coupled with the ANX Overlay and the Fresno County Right-to-Farm Ordinance, Rural Residential neighborhoods are protected. No further response is required.

*Response to COUNTY-15*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration of the proposed project as a whole. Please refer to *Response to COUNTY-1*. The City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. It notes that adoption of the Specific Plan itself would not result in the annexation of any lands into the city limits. However, when annexation of specific parcels is proposed and approved as part of future development under the Specific Plan, the Fresno Municipal Code provides for the ANX Overlay District, which allows rural residential use of properties upon annexation to the City continuing until such a time as the properties are further developed consistent with the Base District. It also discusses the County's Right-to-Farm ordinance which would apply to existing agricultural uses in the Plan Area. No further response is required.

*Response to COUNTY-16*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

As previously stated in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR and the Water Technical Study prepared for the proposed project in Appendix F, the increase in water demand for the Specific Plan Area is 1.7 percent greater than the demand projected in the General Plan. Thus, the impacts to water supply could be potentially significant. However, upon compliance with regulatory requirements, proposed policies for full implementation of the proposed Specific Plan, proposed mitigation measures, and construction of proposed water supply and distribution system infrastructure, the impact would be reduced. Please see the mitigation measures included in Section 3.10, Hydrology and Water Quality, and Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR. A WSA prepared for the proposed project demonstrates that the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years, which included groundwater. New municipal groundwater wells are proposed as master planned improvements that would serve the proposed project; therefore, the Recirculated Draft PEIR found that with mitigation incorporated, impacts to water supply, including groundwater, would be less than significant. No further response is required.

*Response to COUNTY-17*
This comment is noted and is included in the record provided to the Lead Agency for review and consideration. As discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR and the Water Technical Study prepared for the proposed project in Appendix F, the City's Water Division manages and operates the City's water system and provides water to areas included within the City's SOI, which includes the entirety of the Plan Area. The City's water supply includes groundwater, surface water, and reclaimed water. The base water demand for all land uses in the Plan Area was found for both the General Plan and the Specific Plan conditions. The total General Plan base water demand was 21,843 AFY, or 19.50 mgd, and the Specific Plan base water demand was found to be 19.83 mgd, resulting in an increase in water demand of approximately 0.33 mgd, or 1.7 percent. Since the estimated increase in water demand for the Specific Plan Area would be 1.7 percent above the General Plan condition, the impacts to water supply could be potentially significant. However, upon compliance with regulatory requirements, proposed policies for full implementation of the proposed Specific Plan, proposed mitigation measures, and construction of proposed water supply and distribution system infrastructure, the impact would be reduced to less than significant.

The normal water year supply projected for the City of Fresno in 2035 is 346,610 AF, and total projected demand is 222,310 AF. All water supply scenarios for dry years for 2035 are sufficient to accommodate the increase in water demand for the Specific Plan Area of 370 AFY assuming groundwater characteristics are not altered due to climatic events or regulatory influences from SGMA. A WSA has been completed for the proposed project and is included in Appendix I. As shown in the WSA, the total projected water supplies for the proposed project during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project in addition to existing and planned future uses. As shown in Table 7.1 of the WSA, demand within the City's service area is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2045. The projected increase in water demand for the proposed project is 0.33 mgd, or approximately 370 AFY. As shown in the WSA, the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years. See the WSA for additional information and further analysis. The proposed project has implemented project-specific MM UTIL-1a and MM UTIL-1b, which require the City to evaluate the water conveyance system and water supply at the time that discretionary projects are submitted for approval by the City, and that the City shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The City shall evaluate proposed water capacity and conveyance improvements provided in the City Metro Plan and General Plan for potential environmental impacts and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan. No further response is required.

*Response to COUNTY-18*
This comment is noted. As previously stated, the proposed project is a policy-level document and does not propose any site-specific development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. When specific development is proposed, availability of water supply will be evaluated.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to COUNTY-19*
This comment is noted. MM HYD-2d requires that new and expanded groundwater recharge facilities be developed in accordance with the City's Metro Plan. This mitigation does not refer to the 2014 Meto Plan specifically. It objectively refers to the City's Metro Plan, meaning the City's current Metro Plan at the time a specific development application is received. If specific development is proposed before the updated Metro Plan is adopted, it will have to show compliance with the 2014 Metro Plan (i.e., the current Metro Plan). Similarly, specific projects proposed after the updated Metro Plan is adopted would be required to show compliance with that plan. No further response is required.

*Response to COUNTY-20*
The comment is noted. Please refer to *Response to COUNTY-1* through *Response to COUNTY-19*. No further response is required.

*Response to COUNTY-21*
The comment is noted. The comment includes Fresno LAFCo Resolution USOI-144. No environmental issues are raised, and no response is required.

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

March 21, 2025

Comments submitted via email to:

longrangeplanning@fresno.gov

Sophia Pagoulatos, Planning Manager
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: Recirculated Draft Program Environmental Impact Report of the Southeast Development Area Specific Plan for the City of Fresno
FID Facilities: Various

Dear Ms. Pagoulatos:

The Fresno Irrigation District (FID) has reviewed the Recirculated Draft Program Environmental Impact Report (RDPEIR) of the Southeast Development Area Specific Plan for the City of Fresno (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. We also appreciate the City of Fresno acknowledging receiving FID's August 25, 2023, comments on the Draft Program Environmental Impact Report and incorporating them into this RDPEIR. Similar to the comments previously provided, FID's comments are as follows:

**Impacted Facilities**

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

BOARD OF DIRECTORS
President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

a. Small/Medium Canal Crossings – The majority of the proposed planned will impact existing pipelines and small open channel canals. FID will require all open channels and existing pipelines impacted by the project area development be upgraded to meet FID's then-current standards for urban, rural, industrial areas. The majority of FID's facilities that lie within the proposed Planning Area do not meet FID's urban specifications, including road or highway crossings. The majority of the existing pipelines are monolithic cast-in-place concrete pipe (CIPCP), low head/thin wall PVC, and non-reinforced mortar jointed concrete pipeline. These pipelines were designed for a rural environment and will fail if they are not replaced as development occurs. 2

b. Large Canal Crossing – There are large canals called Gould No. 97, Fresno No. 3, Mill No. 36, and Fancher No. 6 that will more than likely be too large to be contained within a pipeline. Development impacts to these facilities shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs. 3

2. FID's facilities that are within the Planning Area carry irrigation water for FID users, recharge water for the City of Fresno, and flood waters during the winter months. In addition to FID's facilities, private facilities also traverse the Planned Area. 4

3. Canal Access – FID will continue to access the Canal from public roads. In order to access the maintenance bank with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID requires a 50-feet wide drive approach narrowing to a 20-feet wide drive banks. The 50-feet 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. 5

   a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer to demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20 feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.

4. Canal Banks – If there will be any work on canal banks, the following will apply:

    a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.

    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. 6

    c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.

5. Trail - It is FID's understanding that many trails are master-planned within the Southeast Development Area. Southeast Development Area Specific Plan area is not considered as existing development under the Master Trail Agreement (MTA) between the City of Fresno and FID and as such will be treated as a "New Growth Area". As with other new developments with trails along the canals, FID will not allow the trail to encroach or overlap FID's canal easement unless allowed by FID and 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. 7

    c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.

    d. FID's canals will not accept any drainage from the trail or the canal bank.

    e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.

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

**Water Supply Impact**

1. The document acknowledges that the maximum percentage of FID surface water supply that the City can obtain is 29 percent under the Cooperative Agreement between the City of Fresno and FID. The City's service area is expected to surpass 29 percent of FID's service area between 2025 and 2030. If the City of Fresno exceeds 29 percent prior to full development within SEDA, the document must consider how to address future development based on water consumption beyond the limits of the agreement and evaluate the potential impacts. 8

2. The document must consider whether the City's Water Master Plan that is currently being updated may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City. 9

3. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.

4. The proposed land use (or changes in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.

5. If treated surface water is used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place. 10

6. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a 11

modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem. 11 CONT

7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA. 12

COMMENTS ON SPECIFIC SECTIONS:

Hydrology and Water Quality

1. The Southeast Development Area Specific Plan requires routing of stormwater through several conveyance facilities through the Plan Area. FMFCD will need to update its Storm Drainage and Flood Control Master Plan for the Plan Area. FMFCD will be required to convey discharges to FID's larger canals where capacity constraints are not an issue. The City of Fresno will need to consider this with its Mitigation Measures Policy MM HYD-3e and the design of stormwater detention basins and expanded capacity for stormwater. 13

Resource Conservation and Resilience Element

1. Policy RC-6-I Natural Recharge. While FID appreciates the support of the City to remove unnecessary concrete from its existing canals, FID encourages a policy revision to ensure alignment with FID policies, procedures and practices, preventing any conflicts that could impact implementation. FID utilizes concrete lining for many reasons and purposes; therefore a coordinated approach will help achieve the best outcome for all parties. 14

2. The City of Fresno should consider acquiring property and constructing City-owned recharge basins to increase groundwater recharge in the Plan Area or look at other drainage facilities which might better align with the Natural Recharge Policy than the use of FID facilities. 15

Open Space, Schools, and Public Facilities

1. Policy OS-1.1 Joint Use of Open Spaces. While FID appreciates the support of the City to establish a joint use agreement to provide access to areas adjacent to Canals and Creeks, however, as previously stated, the Southeast Development Area Specific Plan area is considered a "New Growth Area" and is not covered under the existing MTA for trails atop FID's canal banks. All Trails proposed within the Plan area shall be located outside FID's drive banks, maintenance roads, and points of access. 16

2. The City of Fresno will also need to take into consideration Trails over FID Pipelines and Easements. City of Fresno and FID joint-use agreements, common-use agreements or encroachment agreements must not restrict or impair FID's ability to maintain and operate its facilities unless all impacts can be fully mitigated.

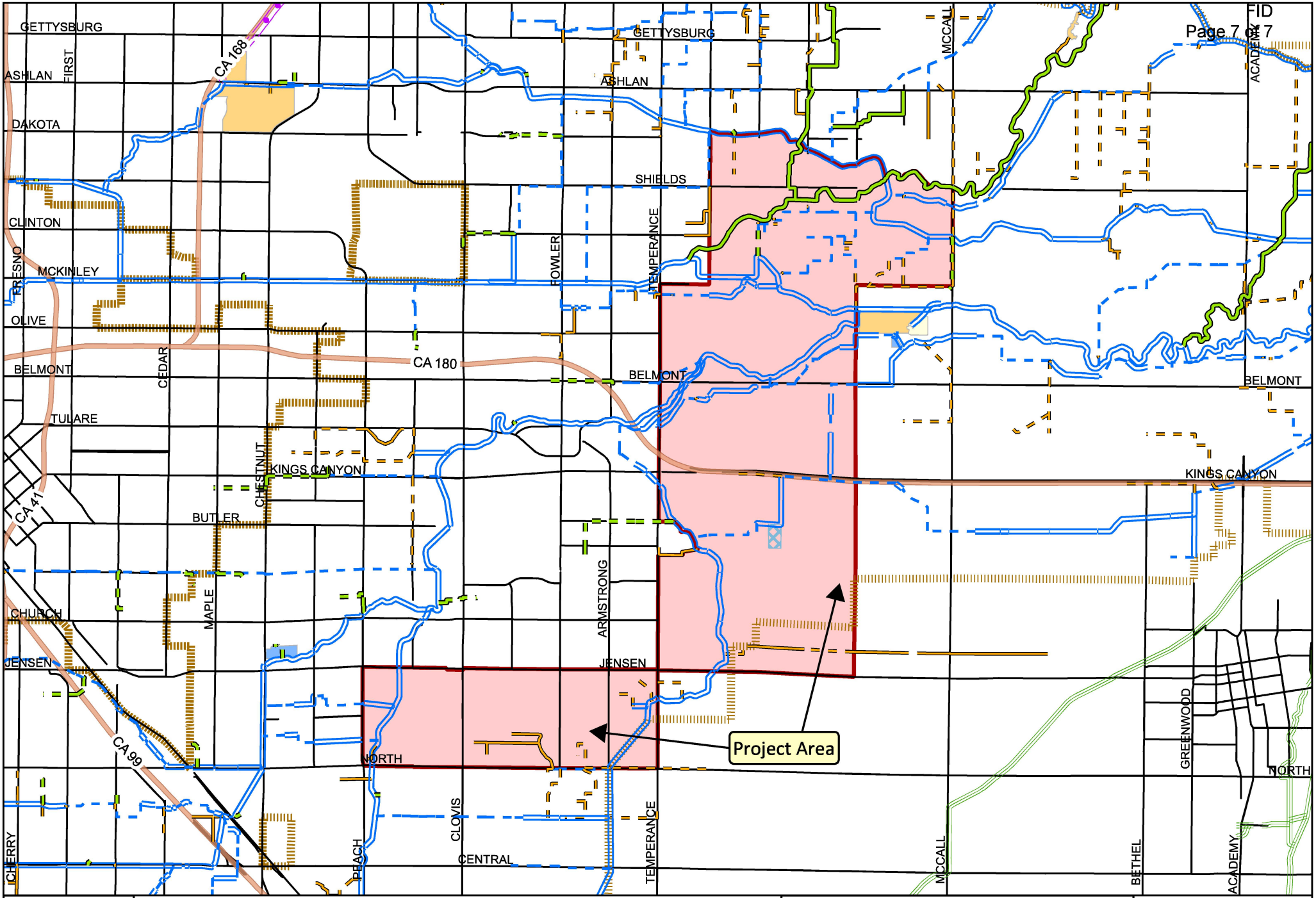
Thank you for making available to us the Recirculated Draft Program Environmental Impact Report for the Southeast Development Area Specific Plan for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to comment on the subject RDPEIR. While it is difficult to envision all of the potential impacts without all of the improvement details and impact report, we have attempted to provide you with as much information as possible. We reserve the right to provide additional comments as the Plan Area develops and/or when more detailed information becomes available. If you have any questions, please feel free to contact me Laurence Kimura at (559) 233-7161 extension 7103 or LKimura@fresnoirrigation.com. 17

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Exhibit




FRESNO IRRIGATION DISTRICT

Legend

- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek\River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Spatial Reference:
Name: NAD 1983 StatePlane California IV FIPS 0404

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## *Fresno Irrigation District (FID)*

*Response to FID-1*

The comment is noted. As stated in Chapter 2, Project Description, Section 2.5.2, Responsible and Trustee Agencies of the Draft PEIR and in the NOP, the Recirculated Draft PEIR recognized that FID is a Responsible Agency for the purposes of CEQA review and has discretionary approval over part of the proposed project. The proposed project is a policy-level document and does not propose or contemplate any specific development. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As discussed in Section 3.10, Hydrology and Water Quality, of the Recirculated Draft PEIR, the grading plan review process for future individual projects in the Plan Area would identify any plan to alter the course of any creek, stream, or irrigation canal, and the City would require additional other reviews, permits, and agreements with agencies including, but not limited to, FID. Possible permits and agreements include the Clean Water Act (CWA) Section 401 and 403 permits, Endangered Species or Habitat Plan, Section 1603 Streambed Alteration Agreement, and Irrigation Canal Encroachment permit. Future development would be required to make agreements prior to the issuance of grading permits. No further response is required.

*Response to FID-2*

The comment is noted. Please refer to *Response to FID-1.* Future development under the proposed project that would impact small or medium canal crossings in the Plan Area would be required to meet FID's current standards at the time the project is proposed, including the requirements specified in comment FID-3 and including, but not limited to, the Master Trails Agreement recently executed between the City and FID, if it is in place at the time of site-specific project approval. No further response is required.

*Response to FID-3*

The comment is noted. Please refer to *Response to FID-1*. Future development under the proposed project that would impact large canal crossings in the Plan Area would be required to meet FID's current standards at the time the project is proposed, including the requirements specified in comment FID-3. No further response is required.

*Response to FID-4*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to FID-5*

The comment is noted. Please refer to *Response to FID-1*. Future development under the proposed project that would impact canal access in the Plan Area would be required to meet FID's current standards and requirements at the time the project is proposed, including the requirements specified in comment FID-6 and including, but not limited to, the Master Trails Agreement recently executed between the City and FID, if it is in place at the time of site-specific project approval. No further response is required.

*Response to FID-6*
The comment is noted. Please refer to *Response to FID-1*. Future development under the proposed project that would impact canal banks in the Plan Area would be required to meet FID's current standards and requirements at the time the project is proposed, including the requirements specified in comment FID-7. No further response is required.

*Response to FID-7*
The comment is noted. Please refer to *Response to FID-1*. Future development under the proposed project that propose trails that would impact FID facilities in the Plan Area would be required to meet FID's current standards and requirements at the time the project is proposed, including the requirements specified in comment FID-8. No further response is required.

*Response to FID-8*
This comment is noted. As discussed in Section 3.18, Utilities and Service Systems of the Draft PEIR, as well as the Water Technical Study prepared for the proposed project in Appendix F, the City's Water Division manages and operates the City's water system and provides water to areas included within the City's SOI, which includes the entirety of the Plan Area. The City's water supply includes groundwater, surface water, and reclaimed water. The base water demand for all land uses in the Plan Area was identified for both the General Plan and the Specific Plan conditions. The total General Plan base water demand was identified as 21,843 acre-feet per year (AFY), or 19.50 million gallons per day (mgd); the Specific Plan base water demand was identified as 19.83 mgd, resulting in an increase in water demand of approximately 0.33 mgd (370 AFY), or 1.7 percent. An increase of 1.7 percent in water demand for the Specific Plan Area above the General Plan condition could result in a potentially significant impact to water supply; however, compliance with regulatory requirements, implementation of policies contained in the proposed Specific Plan, implementation of identified mitigation measures in the Draft PEIR, and construction of proposed water supply and distribution system infrastructure would reduce potential water supply impacts to less than significant.

The normal water year supply projected for the City of Fresno in 2035 is 346,610 AF, and total projected demand is 222,310 AF. All water supply scenarios for dry years for 2035 would be sufficient to accommodate the increase in water demand for the Specific Plan Area of 370 AFY assuming groundwater characteristics are not altered due to climatic events or regulatory influences from Sustainable Groundwater Management Act (SGMA). A Water Supply Assessment (WSA) was completed for the proposed project and is included in Appendix I. As shown in the WSA, the total projected water supplies for the proposed project during normal, single dry, and multiple dry water years during a 20-year projection would be sufficient to accommodate the projected water demand associated with the proposed project in addition to existing and planned future uses. As shown in Table 7.1 of the WSA, demand within the City's service area is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2045. The projected increase in water demand for the proposed project is 0.33 mgd, or approximately 370 AFY. As shown in the WSA, the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years. See the WSA for additional information and further analysis.

The proposed project would be required to implement project-specific MM UTIL-1a and MM UTIL-1b, which require the City to evaluate the water conveyance system and water supply at the time that discretionary projects are submitted for approval by the City, and ensure that the City shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The City shall evaluate proposed water capacity and conveyance improvements provided in the City of Fresno's Metropolitan Water Resources Management Plan (City Metro Plan) and General Plan for potential environmental impacts and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to FID-9*
The comment is noted. The Metro Plan was prepared to document the existing conditions of the City's water system and facilitate future water resources decisions and facilities improvements. The City is currently in the process of updating the Metro Plan. Future development under the proposed project would be required to be evaluated against the applicable Metro Plan and the City's General Plan at the time a development application is received to assess environmental impacts.

Additionally, the analysis contained in the Recirculated Draft PEIR is limited to impacts of the proposed project. Therefore, the evaluation of the benefits of previously constructed projects under the Metro Plan is not included in the Recirculated Draft PEIR because they are not environmental impacts of the proposed project. No further response is required.

*Response to FID-10*
The comment is noted. As discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR and the Water Technical Study prepared for the proposed project in Appendix F, the increase in water demand for the Specific Plan Area would be 1.7 percent greater from the demand projected in the General Plan. Thus, the impacts to water supply could be potentially significant. However, upon compliance with regulatory requirements, proposed policies for full implementation of the proposed Specific Plan, proposed mitigation measures, and construction of proposed water supply and distribution system infrastructure, the impact would be reduced to less than significant.

Specifically, the following mitigation measures would contribute to a reduction in water demand from the implementation of the Specific Plan:

- **MM UTIL-2a** requires the City to develop and implement water conservation measures to reduce the per capita water use, and continue to refine and implement water saving and conservation standards for new developments approved under the Specific Plan;
- **MM UTIL-2b** requires the City to continue to implement the City of Fresno Water Conservation Program, as may be updated, and periodically update restrictions on water uses,

and evaluate the feasibility of the conservation target identified as part of the Fresno General Plan; and

- **MM UTIL-2c** requires the City to refine landscape water conservation standards that will apply to new development installed landscapes, building on the State Model Water Efficient Landscape Ordinance (MWELO) and other State regulations.

The City must complete the standards described in the above mitigation prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and confirm that each project has incorporated any resulting standards prior to issuing approval.

Additionally, a WSA has been completed for the proposed project and is included in Appendix I. As shown in the WSA, the total projected water supplies for the proposed project during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project in addition to existing and planned future uses. As shown in Table 7.1 of the WSA, demand within the City's service area is not expected to exceed the City's supplies in any normal, single dry, or multiple dry year between 2020 and 2045. The projected increase in water demand for the proposed project is 0.33 mgd, or approximately 370 AFY. As shown in the WSA, the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years. See the WSA for additional information and further analysis.

The proposed project would also be required to implement project-specific MM UTIL-1a and MM UTIL-1b, which require the City to evaluate the water conveyance system and water supply at the time that discretionary projects are submitted for approval by the City and ensure that the City shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The City shall evaluate proposed water capacity and conveyance improvements provided in the City Metro Plan and General Plan for potential environmental impacts and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan.

Furthermore, the proposed Specific Plan includes objectives and policies related to water conservation efforts, such as Policy RC-1.1, Objective RC-2, Policy RC-2.2, Objective RC-3, Policy RC-3.1, Policy RC-3.2, Policy RC-3.3, and Policy RC-3.4, which support water conservation efforts, policies, and programs. Specifically, Policy RC-1.1 and Policy RC-3.1 emphasize that the proposed project's land use plan would prioritize compact, high-density development, which helps to conserve water resources. Low-density, large-lot development presents the compound problem of high-water demand and high infrastructure costs and in addition, landscaping accounts for about 50 percent of average household water use. Since irrigation demand relates directly to lot size, compact neighborhoods of small-lot single-family and multi-family homes use significantly less water. Furthermore, compact development requires significantly less pipe, reducing the need for additional infrastructure. Please refer to the Specific Plan for more information regarding the relationship between the proposed project's land use plan and water demand. No further response is required.

*Response to FID-11*
The comment is noted. As previously stated in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR and the Water Technical Study prepared for the proposed project in Appendix F, the increase in water demand for the Specific Plan Area is estimated to be 1.7 percent greater than the demand projected in the General Plan. Thus, the impacts to water supply could be potentially significant. However, upon compliance with regulatory requirements, proposed policies for full implementation of the proposed Specific Plan, proposed mitigation measures, and construction of proposed water supply and distribution system infrastructure, the impact would be reduced to less than significant. Please see the mitigation measures included in Section 3.10, Hydrology and Water Quality, and Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR. A WSA prepared for the proposed project demonstrates that the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years, which included groundwater. Proposed infrastructure for the project area includes recharge facilities, recharge inter-ties with Fresno Metropolitan Flood Control District (FMFCD) basins, and expansions of Surface Water Treatment Facilities (SWTFs) as described in the WSA and Section 3.10, Hydrology and Water Quality, of the Recirculated Draft PEIR. New municipal groundwater wells are proposed as master planned improvements which would serve the proposed project; however, the Recirculated Draft PEIR found that with mitigation incorporated, impacts to water supply, including groundwater, would be less than significant. No further response is required.

*Response to FID-12*
The comment is noted. Section 3.10, Hydrology and Water Quality, of the Recirculated Draft PEIR, found that the North Kings Groundwater Sustainability Agency (GSA) could reach sustainability by 2040 if groundwater flows from within the North Kings GSA to neighboring GSAs and basins are reduced and projects are developed to mitigate present and future projected impacts. Additional projects identified by member agencies and those included in the North Kings Groundwater Sustainability Plan (GSP) may be implemented in the future depending on cost. The proposed project would not conflict with or obstruct implementation of projects and management actions included in the North Kings GSP. Therefore, the Recirculated Draft PEIR determined that impacts related to the implementation of a water quality control plan or sustainable groundwater management plan would be less than significant.

Proposed infrastructure for the project area includes recharge facilities, recharge inter-ties with FMFCD basins, and expansions of SWTFs as described in the WSA and Section 3.10, Hydrology and Water Quality, of the Recirculated Draft PEIR. Furthermore, the proposed project would implement MM HYD-2a and MM HYD-2b, which require the City to implement water conservation measures and the City of Fresno Water Conservation Program to reduce impacts to hydrology and water quality.

Additionally, the City participates in intentional recharge via their groundwater recharge program, and, as discussed in the WSA prepared for the proposed project, expansion of recharge programs is being developed as part of the Metro Plan update. No further response is required.

*Response to FID-13*
This comment is noted. As specified in MM HYD-3e, the City would be required to support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to analyze the impacts to existing and planned retention basins within the Plan Area to determine remedial measures required to reduce the impact on retention basin capacity to less than significant prior to approving specific development. In response to this comment, this mitigation measure and associated analysis has been modified to include coordination with FID. These clarifying revisions are included in Section 4, Errata, in the Final EIR. No further response is required.

*Response to FID-14*
This comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to FID-15*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

*Response to FID-16*
This comment is noted. Please refer to *Response to FID-14*. No further response is required.

*Response to FID-17*
This comment is noted. Please refer to *Response to FID-15*. No further response is required.

**Fresno Metropolitan Flood Control District**
*Capturing Stormwater since 1956*

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

March 24, 2025

Ms. Sophia Pagoulatos, Planning Manager
City of Fresno Planning and Development Department
2600 Fresno Street, Rm. 3065
Fresno, CA 93721

Dear Ms. Pagoulatos,

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

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

The Fresno Metropolitan Flood Control District (FMFCD) has reviewed the adopted and proposed Master Plan storm drainage systems for the areas located within the Southeast Development Area Specific Plan Project (SEDA Plan). The adopted Master Plan drainage systems were designed using the previously adopted General Plan land uses and the proposed Master Plan drainage systems are based on the SEDA Plan land uses as shown on Exhibits 1-1 and 2-2 of the Recirculated DPEIR. FMFCD shall be notified of any revisions to the SEDA Plan Proposed Land Use as changes may effect the existing and proposed Master Plan drainage systems. 1

Drainage fees shall be collected pursuant to the Drainage Fee Ordinance prior to approval of final maps and/or issuance of building permits at the rates in effect at the time of such approval. Instances when the proposed density is reduced and the District's Master Plan facilities have been constructed will be subject to the higher rate anticipated to be collected when the facilities were installed. Should land use densities of existing areas be increased, the property would be subject to drainage fees commensurate to the higher density and paid to offset the effects of the increased land use. Please contact the District for a final fee obligation prior to issuance of any construction permits. 2



5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194
www.fresnofloodcontrol.org

As noted in FMFCD's prior letters dated March 25, 2022 and August 28, 2023, in Master Plan areas where no drainage facilities have been constructed, the Master Plan can be planned to accommodate the new land uses and pipe alignments within the SEDA Plan. Proposed basin locations, as shown on Exhibits 1-1 and 2-2 of the Recirculated DPEIR, are based on the preliminary Storm Drainage Master Plan and take into consideration topography, land use, existing street and proposed street alignments, pipeline collection system layout, natural and manmade improvements, and other planimetric features. The drainage system and basin location is adopted by the District based upon a cost to benefit study. The proposed basin locations are established using the most current information available in order to site the storm water basin facility in its most likely location for acquisition. As development or District funds become available, the District reviews the proposed basin locations to evaluate the factors previously considered for any new information prior to property acquisition. During the acquisition, circumstances may warrant moving the ponding basin location to an adjacent parcel or to a nearby location, typically the basin location will be within a ½ mile radius of the proposed location and the basin size and/or basin configuration may be changed to better fit the parcel(s) being acquired and/or existing or planned storm water needs. Additional language to provide for an alternate land use designation for the proposed basins should be included in the SEDA Plan. This is an important element that must be addressed in the SEDA Plan. 3

Upon review of the SEDA Plan land uses for the areas within the adopted Master Plan drainage systems it is determined that the Master Plan can accommodate the new land uses with revisions to the existing drainage system. As shown on the attached Exhibit No. 1, approximately 55 acres located northwest of McKinley and McCall Avenues is located within the SEDA Plan but not within an adopted drainage area. This area currently drains to the FMFCD Fancher Creek Basin. FMFCD has identified 94 acres outside of the SEDA Plan, located southeast of Temperance and Jensen Avenues that is planned to be served by a proposed Master Plan drainage system. This area is bounded by the Briggs Canal and does not have an alternate solution to be served due to the topographic constraints. 4

Upon adoption of the SEDA Plan and EIR by the City of Fresno, FMFCD will prepare an update to its Municipal Services Review (MSR), for Fresno LAFCO consideration. The MSR is a LAFCO requirement and will demonstrate that FMFCD has the ability to extend flood control and drainage services into the SEDA Plan, as development occurs. Once the District's MSR update (covering all of the SEDA Plan) has been approved by LAFCO, FMFCD can proceed with a Sphere of Influence (SOI) Amendment designed to fold SEDA into the FMFCD SOI. 5

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

5 CONT

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

**Additional FMFCD General Comments**

FMFCD bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including portions of the area within the SEDA Plan. Within this area, the community has developed and adopted Storm Drainage and Flood Control Master Plans as shown in the attached Exhibit No. 1. In general, each property contributes its pro-rata share to the cost of the public drainage system. All properties are required to participate in the community system for everyone. It is this form of participation in the cost and/or construction of the drainage system that will mitigate the impact of development. The subject property shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of any final maps and/or issuance of building permits at the rates in effect at the time of such approval. Please contact FMFCD for a final fee obligation prior to issuance of the construction permits within the Plan Area. For areas located outside a Master Planned area, once these areas are adopted by the FMFCD Board of Directors', drainage fee payment will be required per the criteria listed above.

6

The grading of proposed development within the SEDA Plan shall be designed such that there are not adverse impacts to the passage of major storm flow through that development. Additionally, the development shall provide any surface flowage easements or covenants for any portions of the developing area that cannot convey storm water to public right of way without crossing private property.

7

If there are to be storm water discharges from the private facilities to FMFCD's storm drainage system, they shall consist only of storm water runoff and shall be free of solids and debris. Landscape and/or area drains are not allowed to connect directly onto FMFCD's facilities. 8

FMFCD will need to review and approve the final improvement plans for all development (i.e. grading, street improvement and storm drain facilities) within the boundaries of the proposed project to insure consistency with the future Storm Drainage Master Plan. 9

Storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees. 10

Where permanent drainage service is available the developer shall verify to the satisfaction of the City and FMFCD that runoff can be safely conveyed to existing Master Plan facilities. Permanent drainage service will not be available if the downstream Master Plan facilities are not constructed or operational and in this instance FMFCD recommends the City require temporary drainage facilities until permanent drainage service is available. Prior to submitting any development proposal, it is recommended to contact FMFCD for information regarding the status of the Master Plan drainage facilities and the availability of permanent drainage service.

FMFCD may require the developer to construct certain storm drain facilities as described in the Storm Drain Master Plan. The cost of construction of Master Plan facilities excluding dedication of storm drainage easements is eligible for credit against the drainage fee of the drainage area served by the facilities. A development agreement shall be executed with FMFCD to affect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City or FMFCD. 11

The individual properties may be located within a flood prone area as designated on the most current official Flood Insurance Rate Maps. The maps are available at the Federal Emergency Management Agency (FEMA) Flood Map Service Center. 12

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system. 13

FMFCD encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be directed through landscaped areas or otherwise treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to FMFCD's system will not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. FMFCD's policy governing said industrial site NPDES program requirements are available. Contract FMFCD's Environmental Department for further information regarding these policies related to industrial site requirements. 14

**Comments specific to the Southeast Development Area Specific Plan Project**

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

1. Page 3.2-16, Impact AG-2 and Exhibit 3.2-2: Informational purposes only, FMFCD has identified one (1) proposed basin site, Basin "DY" is located on properties within the Williamson Act Contract.
2. Page 3-6.16, Policy EO-5.4: Remove flood basins. FMFCD opposes including flood basins in this policy because they lack sufficient surface area to support a clean energy system. 15
3. Page 3.10-31, Policy RC-4.4: FMFCD would like to clarify that this policy does not apply to recreational use within FMFCD recharge basin sites. FMFCD suggest removal of the words groundwater recharge areas and recharge.
4. Page 3.10-48, MM HYD-3e: Remove paragraph related to emergency relief pump. FMFCD disposal systems within the SEDA Plan will adhere to FMFCD Basin Operations Guideline policy (see attached).
5. Page 3.10-49, MM HYD-3e and MM HYD-3f: Remove paragraph related to LID measures. LID's typically require monitoring/maintenance by City or property owner and are contrary to FMFCD requirements to grade sites such that there is positive drainage to the street.

6. Page 3.10-49, MM HYD-3g: Remove mitigation measure MM HYD-3g. FMFCD disposal systems within the SEDA Plan will adhere to FMFCD Basin Operations Guideline policy (see attached).
7. Page 3.10-53, Cumulative Mitigation Measures: Remove MM HYD-3g per comment 6 above.
8. Exhibit 3-17.1 Proposed Major Street Circulation: FMFCD's Basin "DS", located at the northwest corner of Clinton and Leonard Avenues, was acquired in anticipation of Clinton Avenue not going through between Leonard and DeWolf Avenues. Based on recorded documents which indicate Clinton Avenue was not dedicated as road right-of-way in this area, FMFCD requests Clinton Avenue not be shown as an existing or as future roadway.
9. ES-41 and ES-42, Executive Summary: Correct typo on page ES-41 from 3d to 3e. Revise sections MM HYD-3e and MM HYD-3g per FMFCD comments 4, 5 and 6 above.
10. Appendix H: Transportation Supporting Information, Page 31, Section 6.1: The findings and recommendations of this report propose widening DeWolf Avenue, a collector street, from one lane in each direction to two lanes in each direction. FMFCD's Redbank Creek Detention Basin and Basin "DS" are situated along the section of DeWolf Avenue between Shields and McKinley Avenues. The existing fence for the Redbank Creek Detention Basin is located at the existing right-of-way 30 feet west of DeWolf Avenue's centerline. Since the Redbank Creek Detention Basin is part of an Army Civil Works project, any modifications to the existing basin or right-of-way would require approval through the USACE 408 Permission process. FMFCD would be able to provide additional right-of-way along the Basin "DS" frontage on the east side of DeWolf Avenue to accommodate the street widening.

15 CONT

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

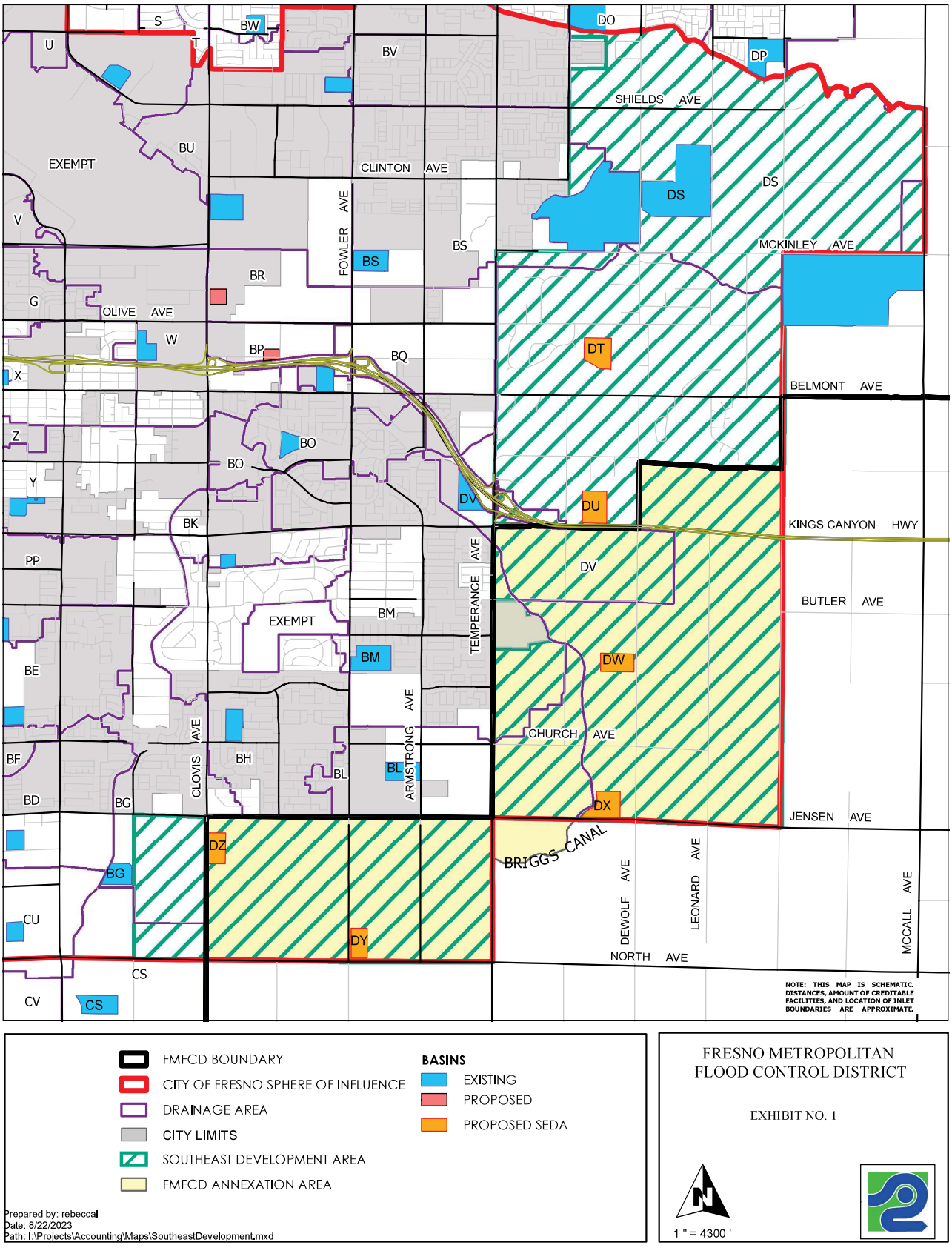
Respectfully,

Denise Wade
Master Plan Special Projects Manager

DW/lrl

Attachment(s)

k:\letters\environmental impact report letters\dpeir recirculated seda specific plan(dw).docx




FMFCD BOUNDARY
CITY OF FRESNO SPHERE OF INFLUENCE
DRAINAGE AREA
CITY LIMITS
SOUTHEAST DEVELOPMENT AREA
FMFCD ANNEXATION AREA

**BASINS**
EXISTING
PROPOSED
PROPOSED SEDA

Prepared by: rebeccal
Date: 8/22/2023
Path: I:\Projects\Accounting\Maps\SoutheastDevelopment.mxd

FRESNO METROPOLITAN
FLOOD CONTROL DISTRICT

EXHIBIT NO. 1

1 " = 4300 '

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CONT

RC-9-c, MM AG-1 states that project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.

However, while implementation of MM AG-1 would reduce the degree of potential impacts associated with future development under the Specific Plan, the conversion of Farmland to nonagricultural uses would still occur. Therefore, this impact would be significant and unavoidable even with implementation of available mitigation.

***Level of Significance Before Mitigation***

Potentially significant impact.

***Mitigation Measures***

**MM AG-1** Prior to initiation of grading activities, project proponents shall compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Fresno Southeast Development Area Specific Plan Area (Plan Area) by preserving an equivalent type and quantity of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument, such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.

The acreage and type of land use to compensate for the loss of 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.

In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.

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CONT

***Level of Significance After Mitigation***

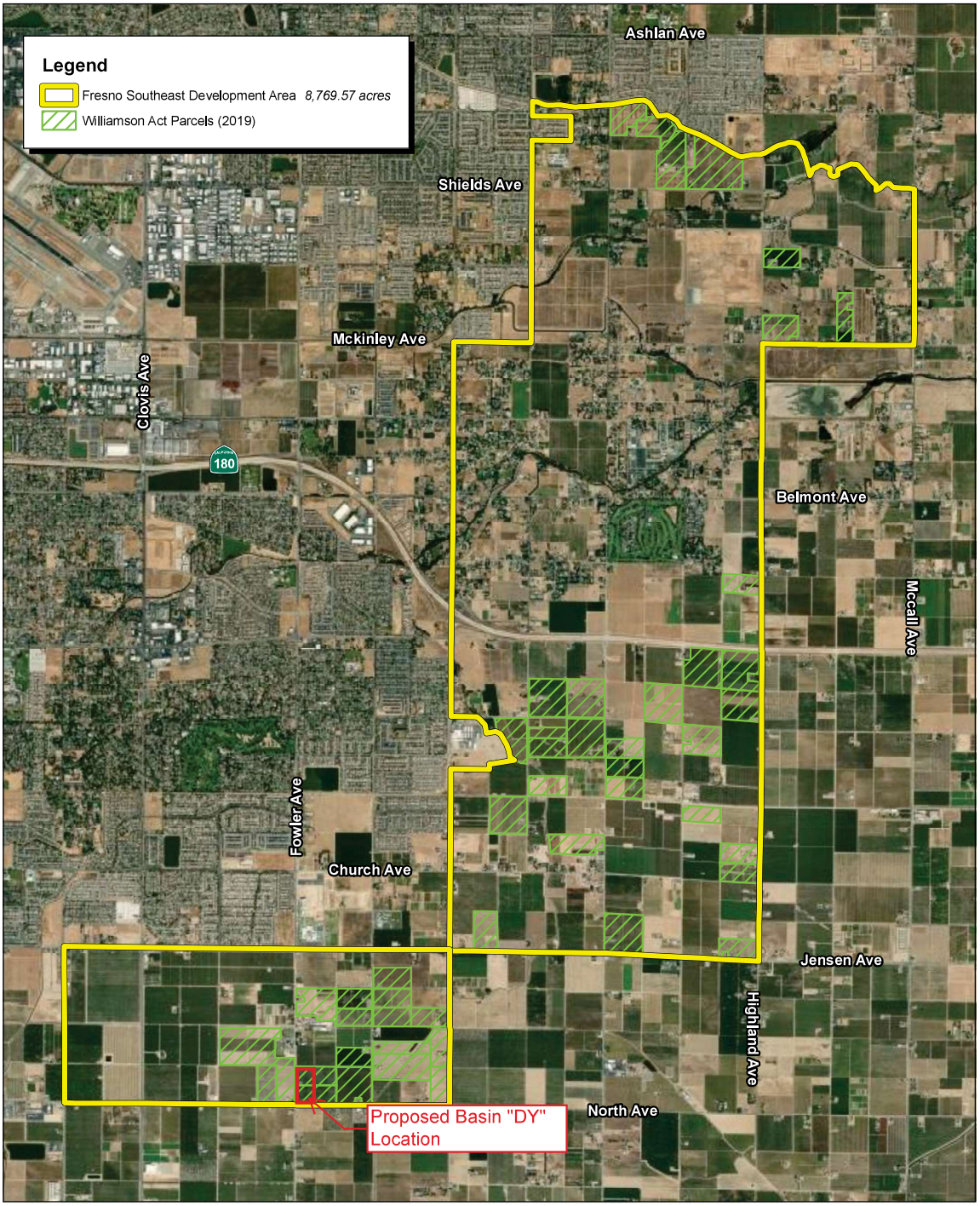
Significant and unavoidable impact.

FMFCD has identified one (1) proposed basin site located on parcels identified within Williamson Act Contract.

***Conflict with Existing Zoning or Williamson Act Contract***

**Impact AG-2:** **The proposed project would conflict with existing zoning for agricultural use, or a Williamson Act Contract.**

The Plan Area does not contain land designated for agricultural use by the General Plan. However, as shown in Exhibit 3.2-2, there are parcels within the Plan Area that are currently under Williamson Act Contracts. As provided in Exhibit 2-2, the Specific Plan would designate the majority of land within the Plan Area that is under Williamson Act Contract for nonagricultural land uses (such as residential and regional and community center uses). Therefore, implementation of the proposed project could conflict with existing Williamson Act Contracts because non-agricultural uses would be




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

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4,600 2,300 0 4,600 Feet

Exhibit 3.2-2
Williamson Act Contract Parcels

31680037 • 12/2024 | 3.2-2_WA_contract_parcels.mxd

CITY OF FRESNO
FRESNO SOUTHEAST DEVELOPMENT AREA SPECIFIC PLAN
RECIRCULATED PROGRAM ENVIRONMENTAL IMPACT REPORT

15
CONT

**Policy EO-3.2** **Coordination with California State University, Fresno.** Build on partnerships with California State University, Fresno to develop programs and projects to attract funding for research and development in the following areas:

A. Agricultural technology
B. Clean energy technology
C. Green building technology
D. Value-added manufacturing technology
E. Water and wastewater technology
F. City and Regional Planning

**Objective EO-5** Expand the economic base and fiscal sustainability of the City by supporting high sales, property values, and employment intensity per acre for economic development in key locations throughout the Southeast Development Area.

**Policy EO-5.4** **Employment in Open Space Network.** Develop the open space network to support employment opportunities.

- Support small-scale farms in rural cluster areas.
- Support agricultural research in open space areas.
- Support the development of clean energy systems within the open space network (e.g., solar farms in parks, ~~flood basins~~).

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CONT

Remove flood basins. FMFCD opposes including flood basins in this policy because they lack sufficient surface area to support a clean energy system.

California Energy Code, 2019 Edition, is adopted by the City of Fresno and incorporated into the Code and shall be referred to as the Fresno Energy Code.

**SEC. 11-109 (California Green Building Standards)** states that the California Green Building Standards Code, 2022 Edition, which may be referred to in the Code as CALGreen, is adopted by the City of Fresno and incorporated into the Code and shall be referred to as the Fresno CALGreen Code.

Therefore, future developments within the Plan Area would be required to comply with the Fresno Energy Code and Fresno CALGreen Code.

## 3.6.4 - Methodology

A discussion of the proposed project's energy use is presented below. The proposed project's anticipated energy use was estimated, including natural gas, electricity, and fuel consumption (for vehicles traveling to and from the project), for project construction and operation. Energy calculations are included as Appendix E of this Recirculated Draft PEIR analysis.

## 3.6.5 - Thresholds of Significance

The Lead Agency utilizes the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist as thresholds to determine whether impacts related to energy

**Objective RC-4** Ensure that there will be no adverse effects on regional groundwater levels by minimizing groundwater extraction and replenishing groundwater used to serve the Southeast Development Area. Maximize multiple uses of open space by encouraging new recharge facilities to be accessible to the public.

**Policy RC-4.1** **Minimizing Groundwater Extraction.** Use available surface water supplies to meet as much of the SEDA's potable water demand as possible, limiting groundwater extraction to extreme periods. The pending SEDA Infrastructure Financing Plan shall address this issue in detail.

**Policy RC-4.2** **Replacement of Extracted Groundwater.** The North Kings Groundwater Sustainability Plan (approved in 2019) illustrates the decrease in groundwater levels in the region as a result of pumping. All groundwater drawn to serve development in the SEDA shall be replaced with at least an equal volume via infiltration, pumping, or other means. Recharge need not necessarily occur the same year as withdrawals, however, over time, total recharge must at least match total withdrawals. Recharge and withdrawals need not occur within the same groundwater aquifer but must be within the same groundwater basin. The pending SEDA Infrastructure Financing Plan shall address this issue in detail.

**Policy RC-4.3** **Maximizing Groundwater Recharge.** Establish integrated systems within the SEDA open space network to maximize recharge using stormwater, treated wastewater, and excess surface water supplies. Facilitate increased porosity and stormwater recharge through the use of porous conveyance methods such as bioswales, naturalized channels, and layered basins. Recharge and related systems shall be addressed in the SEDA Infrastructure Financing Plan.

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CONT

**Policy RC-4.4** **Utilization of Recreation and Open Spaces ~~as Groundwater Recharge Areas~~.** Support recreation opportunities with a range of parks and multiuse trails by establishing joint-use agreements with Fresno Metropolitan Flood Control District to allow access to storm drainage/~~recharge~~ basins for recreational use, when appropriate (see the Open Space, Schools and Public Facilities Chapter).

FMFCD would like to clarify that this policy does not apply to recreational use within FMFCD recharge basin sites. FMFCD suggests removal of the words groundwater recharge areas and recharge.

es from major sources of pollution.

ater management practices that minimize
e Lake Watershed.

- **Compact Development:** Limit impervious cover by clustering new, higher density development within the SEDA, directing growth away from undeveloped portions of the watershed.
  - **Compact development.** Reduce the building footprint and overall impervious surface in order to minimize lot coverage on a per unit basis.
  - **Parking demand management.** Reduce the demand for parking stalls to lower the amount of impervious surface (and environmental impacts).

**MM HYD-3b** The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in implementing the Storm Drainage and Flood Control Master Plan improvements for the proposed drainage areas within the Fresno Southeast Development Area Specific Plan Area (Plan Area). Any new proposed development in the Plan Area shall be reviewed by the City and FMFCD to confirm that design and construction documents have incorporated the updated Storm Drainage and Flood Control Master Plan improvements, prior to approving any such development.

**MM HYD-3c** The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in reevaluating proposed Basins DW and DX for available capacities and shall expand these basins or construct additional basins to accommodate the future stormwater capacities from development in the Southeast Development Area (SEDA) Specific Plan Area (Plan Area) in accordance with the SEDA Specific Plan. The City shall complete these measures prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

**MM HYD-3d** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems within the Fresno Southeast Development Area (SEDA) Specific Plan Area (Plan Area) to less than significant:

- Require developments that increase site imperviousness to install, operate, and maintain Fresno Metropolitan Flood Control District (FMFCD) approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.

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CONT

**MM HYD-3e** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in upda
Master Plan to analyze the impa
within the Plan Area to determi
impact on retention basin capac
would include:
  - Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
  - ~~Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canals that convey the stormwater to a disposal facility for existing retention basins.~~

Remove paragraph related to emergency relief pump. FMFCD disposal systems within the SEDA Plan will adhere to FMFCD Basin Operations Guideline policy (see attached).

- ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.~~

**MM HYD-3f** The City shall implement the following measures to reduce the impacts on the capacity of existing or p… (stormwater quality) ba… Plan Area (Plan Area) to…

- Prior to approval of d… Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the impacts to the urban detention weir overflow rates and determine remed… detention basin capac… include:
  - Modify overflow we… by the FMFCD Board of Directors.
  - Increase the size of the urban detention basin to increase residence time by purchasing more land.
  - ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.~~

Remove paragraph related to LID measures. LID's typically require monitoring/maintenance by City or property owner and are contrary to FMFCD requirements to grade sites such that there is positive drainage to the street.

Remove paragraph related to LID measures. LID's typically require monitoring/maintenance by City or property owner and are contrary to FMFCD requirements to grade sites such that there is positive drainage to the street.

15 CONT

~~**MM HYD-3g** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:~~

- ~~Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the extent and degree to which the capacity of the existing pump system will be exceeded.~~
- ~~Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.~~
- ~~Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the Storm Drainage and Flood Control Master Plan update.~~

Remove MM HYD-3g. FMFCD disposal systems within the SEDA Plan will adhere to FMFCD Basin Operations Guideline policy (see attached).

***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

and 2020. The City is a member of the North Kings GSA; continued participation and compliance with the North Kings GSP and continued development of water conservation policies/programs and water supply infrastructure will reduce the cumulative impacts related to hydrology. This is incorporated as MM HYD-2 and will reduce impacts to a less than significant level with mitigations incorporated.

### Hydrology and Water Quality

Buildout of the proposed project would increase the amount of paved impervious surfaces within the Plan Area. This increase in impervious surfaces would increase stormwater runoff rates and volumes over those that occur from development under the General Plan. This increase in runoff would have the potential to increase the amount of polluted runoff. However, as described above, additional stormwater detention basins and expanded capacity for stormwater is planned throughout the Plan Area. This is required by MM HYD-3a, MM HYD-3b, and MM HYD-3c. Furthermore, all development projects within the Fresno-Clovis area would be required to comply with the MS4 Permit that requires the implementation of water quality and watershed protection measures. Compliance with the MS4 Permit would reduce potential impacts from cumulative projects to less than significant. Since the development under the proposed Specific Plan would also need to comply with the MS4 Permit and includes specific policies of the proposed Specific Plan and the approved City General Plan, the proposed project's contribution to potential cumulative impacts would be less than significant with mitigations incorporated.

### Level of Cumulative Significance Before Mitigation

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CONT

Potentially significant impact.

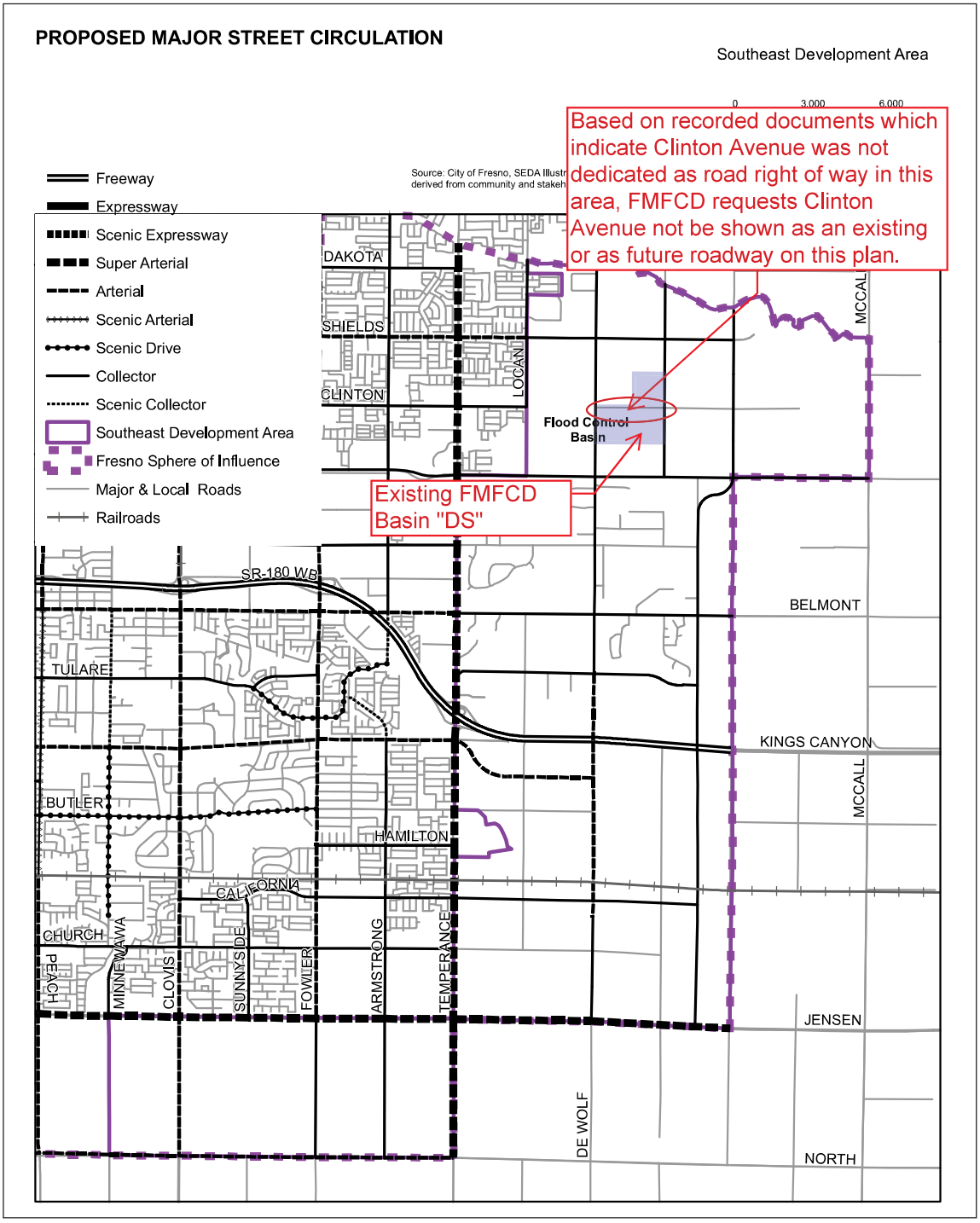
### Cumulative Mitigation Measures

Implement MM UTIL-2a, MM UTIL-2b, MM UTIL-2c, MM HYD-2a, MM HYD-2b, MM HYD-2c, MM HYD-2d, MM HYD-2e, MM HYD-3a, MM HYD-3b, MM HYD-3c, MM HYD-3d, MM HYD-3e, MM HYD-3f, ~~and MM HYD-3g~~

Remove MM HYD-3g.

### Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated.




Source: City of Fresno

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CONT

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Exhibit 3.17-1
Proposed Major Street Circulation Network

| Impacts | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|
| | rates that will not [illegible] the existing stormwater collection system.<br>Correct to: -3e | |
| | **MM HYD-3d:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:<br>• Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to analyze the impacts to existing and planned retention basins within the Plan Area to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:<br>– Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.<br>– ~~Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canals that convey the stormwater to a disposal facility for existing retention basins.~~<br>– ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.~~<br>Remove paragraph per FMFCD comments, page 3.10-48 | |
| | **MM HYD-3f:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:<br>• Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the impacts to the urban detention weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: | |

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CONT

| Impacts | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|
| | – Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.<br>– Increase the size of the urban detention basin to increase residence time by purchasing more land.<br>– ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.~~ | Remove paragraph per FMFCD comments, page 3.10-48 |
| | ~~**MM HYD-3g:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:~~<br>• ~~Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the extent and degree to which the capacity of the existing pump system will be exceeded.~~<br>• ~~Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.~~<br>• ~~Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the Storm Drainage and Flood Control Master Plan update.~~ | Remove MM HYD-3g per FMFCD comments, page 3.10-49 |
| **Impact HYD-4:** The proposed project would not be located in a flood hazard zone, tsunami, or seiche zone, or risk release of pollutants due to project inundation. | None required. | N/A |
| **Impact HYD-5:** The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. | None required | N/A |

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CONT

The existing fence for the Redbank Creek Detention Basin is located at the existing right-of-way 30 feet west of DeWolf Avenue's centerline. Since the Redbank Creek Detention Basin is part of an Army Civil Works project, any modifications to the existing basin or right-of-way would require approval through the USACE 408 Permission process. FMFCD would be able to provide additional right-of-way along the Basin "DS" frontage on the east side of DeWolf Avenue to accommodate the street widening.

## 6.0 FINDINGS AND RECOMME

The following sections provide additior
site, including:

- Roadway Impact Analysis
- Pedestrian, Bicycle, and Transit

Unlike the LOS impact methodology, the analyses in these sections is based on professional judgment in accordance with the standards and methods employed by traffic engineers. Although operational issues are not considered CEQA impacts, they do describe traffic conditions that are relevant to the project environment.

### 6.1 Roadway Impact Analysis – Traffic Increase

The SEDA Project would have an impact on the existing roadways within the project area. While the LOS analysis does not show any deficient roadways for the 2035 project condition, De Wolf Avenue and McCall Avenue are most impacted with LOS of D in the project scenario. Widening these two collector streets from 1 lane in each direction to 2 lanes in each direction will better serve the SEDA project and allow for smoother north-south traffic flow within the SEDA project. Likewise, it is recommended that McKinley Avenue be widened from its current configuration of 1 lane in each direction to 2 lanes in each direction for better east west connectivity within the SEDA area.

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CONT

Other roadways within the SEDA plan should be upgraded into a network of Complete Streets as defined by the Fresno Complete Streets Policy adopted in 2019. A Complete Street is defined as a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users – including bicyclists, pedestrians, transit vehicles, trucks, and motorists. In addition to Complete Streets, the safety of the designed roadway network environment shall be implemented such that driver, pedestrian, and bicyclist safety are paramount.

### 6.2 Pedestrian, Bicycle, and Transit Recommendations

Pedestrian facilities recommended for the SEDA area include sidewalks on all roadways, trails and greenways to connect the regional town center (De Wolf and Kings Canyon Blvd) with the community town centers and should complement the natural landscape of the SEDA plan area. The focus shall be on the identified roadways where fatal and severe injury collisions have occurred, and to achieve the Vision Zero goal of eliminating local traffic fatalities, it is crucial to implement safe practices and programs.

Bicycle facilities within SEDA should be compliant with the latest Fresno Active Transportation Plan guidelines and enhance connectivity between the SEDA mixed use areas to the residential areas.

Transit facilities within SEDA should provide for a safe, integrated, and efficient multimodal transportation system. The regional center of SEDA should be well connected by transit to provide access to and from central Fresno to the SEDA area. Transit stations and stops should be located near major activity centers and mixed use zones. Bus lines should connect public places, schools, medical facilities, concentrations of commercial space, and high density residential and employment areas.

| POLICY MANUAL | Date Adopted: January 12, 1999 |
|---|---|
| assification: ENGINEERING OPERATIONS | Date Last Amended: |
| Subject: Basin Operations Guideline | Approved By: |

I. It is the goal of the Fresno Metropolitan Flood Control District to maintain a basin storage capacity reserve which will accommodate an adjusted historical maximum 48-hour rainfall, as shown on the attached curve, assuming a 2-year design event "c" factor and in accordance with the following discretionary operational considerations:

- Priority for dewatering operations should be given to basins that have the least amount of storage relative to rainfall within its respective drainage area; and, shall consider the basin's need to accommodate upstream system dewatering.

- Basin pumping should be consistent with the overall operational priorities and disposal capacities of downstream systems.

- Dewatering of basins to the desired maximum 48-hour rainfall storage reserve is subject to: (1) the availability of a practical point of disposal; and (2) available resources as determined by the General Manager.

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CONT

- Operational activities should be performed within the hydraulic capacity of the existing storm drainage system. Discharges to storm drains which can only accept such discharge off-peak from storm events can not be made during storm events.

- Nothing contained within these guidelines shall preempt the General Manager or his designated representative from exercising discretionary judgement in operating the system so as to minimize flood damage and maximize the protection of public safety and welfare. At any time the use of discretionary judgement results in a significant variation in practice or procedures otherwise provided for by these guidelines, such variance shall be reported to the Board of Directors.

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## *Fresno Metropolitan Flood Control District (FMFCD)*

*Response to FMFCD-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to FMFCD-2*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Future development under the proposed project would pay all applicable FMFCD drainage fees.

*Response to FMFCD-3*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to FMFCD-4*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to FMFCD-5*
The comment is noted. FMFCD will be notified of all future development within the Plan Area as applicable.

Impact HYD-3 of Section 3.10, Hydrology and Water Quality, of the Recirculated Draft PEIR discusses the potential impacts associated with runoff exceeding the capacity of the existing or planned stormwater drainage system. MM HYD-3a, MM HYD-3b, and MM HYD-3c require that the City supports FMFCD in updated the Storm Drainage and Flood Control Master Plan for the Plan Area to include the proposed basins and the analysis necessary to provide adequate capacity for future stormwater runoff resulting from future development of the Specific Plan, and that any new proposed development shall be reviewed by the City and FMFCD to confirm that design and construction documents have incorporated the updated Storm Drainage and Flood Control Master Plan improvements. Additionally, the City shall support the FMFCD in expanding basins or constructing additional basins to accommodate the future stormwater capacities from future development.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to FMFCD-6*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to

CEQA are raised, and no response is required. Future development under the proposed project would pay all applicable FMFCD drainage fees.

*Response to FMFCD-7*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to grading and easements. No further response is required.

*Response to FMFCD-8*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to stormwater discharges from private facilities. No further response is required.

*Response to FMFCD-9*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to consistency with the future Storm Drainage Master Plan, and FMFCD would review and approve final plans as applicable. No further response is required.

*Response to FMFCD-10*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to storm drain easements. No further response is required.

*Response to FMFCD-11*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to runoff and stormwater drainage. No further response is required.

*Response to FMFCD-12*
The comment is noted. As identified within Section 3.10, Hydrology and Water Quality, and on Exhibit 3.10-1 of the Recirculated Draft EIR, portions of the Plan Area are located within Federal Emergency Management Agency (FEMA) flood zones and would comply with all applicable requirements. No further response is required.

*Response to FMFCD-13*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to outdoor storage areas and contaminants. No further response is required.

*Response to FMFCD-14*
The comment is noted. Future development under the proposed project would be required to comply with applicable FMFCD requirements, including those related to stormwater contaminants. Future development under the proposed project would evaluate and mitigate impacts related to stormwater as necessary pursuant to CEQA. No further response is required.

*Response to FMFCD-15*

The comment is noted. Specific revisions requested to be made to Specific Plan policies will not be addressed in Section 4, Errata, of this Final PEIR. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. However, this comment will be passed to the Lead Agency for their review and consideration of the proposed project as a whole.

The future location of the proposed FMFCD "DY" basin is noted; however, the discussion in Impact AG-2 and its associated exhibit is centered on impacts to existing Williamson Act Contract Parcels and to illustrate their locations within the Plan Area. As the proposed basin is within the Plan Area boundary, it is appropriately captured in the discussion related to impacts to Williamson Act Contracts. Similarly, it is unclear how indicating the location of the proposed basin supports the illustration of the Williamson Act Contract Parcels. As such, no revisions are required. Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

The requested revisions to the proposed MM HYD-3e, MM HYD-3f, and MM HYD-3g have been revised per FMFCD guidance. The revisions are clarifying in nature and do not constitute new or significant impacts. The comments related to transportation are noted. No further response is required.

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SANGER UNIFIED SCHOOL DISTRICT
1905 SEVENTH STREET • SANGER, CA 93657
(559) 524-6521 FAX (559) 875-0311

**DENNIS WIECHMANN, ED.D**
**SUPERINTENDENT**

March 24, 2025

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721

Subject: Recirculated Draft Program EIR for SEDA Specific Plan (State Clearinghouse [SCH] No. 2022020486)

Dear Ms. Pagoulatos:

This letter includes the comments of the Sanger Unified School District on the Recirculated Draft Program Environmental Impact Report (RDPEIR) for the Southeast Development Area (SEDA) Specific Plan. The Sanger Unified School District (District) encompasses most of the territory within SEDA (all land south of Tulare Avenue) and approximately 30,000 of the potential 45,000 new housing units.

The proposed plan shows 16 neighborhood centers within the Sanger Unified portion of SEDA, each of which would include an elementary school integrated with a park and other neighborhood center functions. High school and middle school facilities would also be needed.

On page 3.15-31 under the Impact Analysis heading, the RDPEIR cites a statewide K-12 student generation rate (0.7 students per housing unit) and multiplies it by the total number of units anticipated in the SEDA Specific Plan area (45,000) to estimate the number of students generated at buildout of the plan (31,500 students). Since about two-thirds of the 45,000 new housing units (30,000) would be within Sanger Unified, approximately 21,000 students could potentially be generated in Sanger Unified. 1

Although student generation rates for individual school districts can vary greatly, the student generation rate in Sanger Unified currently approximates the 0.7 average for grades TK-12. Breaking this down further, the average generation rate for grade groupings is approximately 0.4 student per unit for grades TK-6, 0.1 student per unit for grades 7-8, and 0.2 student per unit for grades 9-12. Thus, under this student generation rate assumption, approximately 12,000 students would be generated in grades TK-12 in Sanger Unified, 3,000 students in grades 7-8 and 6,000 students in grades 9-12.

A new elementary school in Sanger Unified would serve approximately 700 students, thus there would potentially be a need for an additional 17 elementary schools assuming the

average generation rate is appropriate. However, it is important to note that student generation rates can vary greatly depending on the type of units constructed. The 0.7 generation rate in Sanger Unified is based on existing development, which is heavily weighted toward single family units. The SEDA plan provides for a large number of multiple family units to be built in the various Town Centers and in the extensive Mixed Residential and Neighborhood Residential areas. Multiple family units generally generate a lower number of students than single family units. Therefore, the estimated number of students resulting from development of the plan area could be substantially lower than stated previously and the number of planned schools would be lower than that shown in the proposed land use plan. In any event, the 16 elementary schools shown in the plan would in all likelihood provide an adequate number of schools for plan buildout as a worst case.

1 CONT

With regard to middle school and high school facilities, the new middle school and high school facilities at the District's educational center at Jensen and Fowler Avenues should be able to provide capacity for some of the future SEDA students in the area south of Jensen Avenue, depending on the level of development that occurs in the District's growth areas outside of SEDA. If buildout of SEDA results in 3,000 students in grades 7-8, as previously indicated, there would theoretically be a need for two new middle schools, assuming a capacity of 1,500 students per middle school. If SEDA buildout generated 6,000 high school students, this would create a need for slightly more than two new high schools, assuming a capacity of about 2,800 students per high school. As mentioned previously, however, the large number of multiple family units planned would likely result in lower student generation rates and reduce the number of students generated and the need for facilities as compared to the maximums above. As indicated in the RDPEIR, Policy OS-7.1 indicates the City will work with the District to establish specific locations for high schools and middle schools.

On page 3.15-11, under the heading of California Government Code, Section 65995(b) and Education Code, Section 17620, the development fee information provided is substantially out of date. It mentions the statutory fees approved by the State as of January 24, 2014 ($3.36 per square foot for residential development and $0.54 per square foot for commercial/industrial development). The current fees as of the last time they were adjusted by the State allocation Board in January 2024, are $5.17 per square foot for residential development and $0.84 per square foot for commercial/industrial development.

The various objectives and policies related to schools in the document appear to be appropriate, as well-designed and located schools are essential to the fabric and success of neighborhoods. The District has the primary legal responsibility for the location, design and operation of schools; however, the District looks forward to working collaboratively with the City so that the objectives and policies of the plan can be realized to the extent possible.

2

On page 3.15-31, the second paragraph (Impact Analysis under Impact PUB-3), states the following:

> Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees

would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels.

Regarding the above statement, the key to mitigating the impacts on school facilities caused by future development within the City and keeping pace with new development is having adequate financing to build the schools and to build them in a timely manner. Schools are funded by a combination of statewide bond measures, local bond measures and developer fees. State bond measures require voter approval and are anything but certain. When they are approved, the funds are often depleted quickly due to a backlog of unfunded projects in the state. To get state funding, school districts must match with a local funding contribution that mostly comes from local bond measures which must be approved by local voters. The amount of the bond measures are based on assessed valuation, and the measures require a supermajority vote of either a 55% or 66.6% vote depending on the amount requested. Developer fees are an important school funding component, but they are substantially inadequate for funding schools unless state and local bond measures are approved. And if needed schools cannot be built or built in a timely manner to keep up with new development, schools will end up being left out of the planned neighborhood centers and residents will need to travel much further to attend school, thereby increasing air pollutants, greenhouse gases and vehicle miles travelled and hindering the desired accessibility, walkability and the basic functions of the planned neighborhood centers.

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Obtaining the funding necessary for up to 16 new elementary schools and at least another high school and middle school will be a substantial challenge if left to the current funding methods for financing schools. As stated in the original EIR Notice of Preparation, implementation of the Specific Plan would require a comprehensive infrastructure plan that "must be accompanied by a comprehensive and detailed financing and implementation strategy that includes the phasing and financing of development and all major infrastructure." We believe it will be very important for the District to engage with the City in the infrastructure planning process to determine how best to fund the school facilities needed and provide them in a manner to keep pace with new development. We recognize that development of the Sanger Unified portion of SEDA is not anticipated to occur until about 2035, but it will be essential to set up an infrastructure financing plan that includes schools well in advance.

Thank you for the opportunity to review and comment on the Recirculated Draft Program EIR. We look forward to collaborating with the City of Fresno in the implementation of the SEDA Specific Plan to ensure that well-located and designed school facilities can be financed and constructed when needed to serve future new development in the Sanger Unified portion of the SEDA Specific Plan. Please let me know if you have any questions on this letter.

Sincerely,

Jimmy Robles
Chief Operations Officer

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## *Sanger Unified School District (SANGER USD)*

*Response to SANGER USD-1*
The comment is noted. The proposed Specific Plan does not identify a required number of schools, although 16 Neighborhood Centers are proposed, which may include elementary schools, local parks, community gardens, and other services. The proposed project also aims to locate all elementary schools within a 0.5-mile walking or biking distance from all homes. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to SANGER USD-2*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. The proposed project does not propose any specific development at this time; therefore, the project-specific environmental impacts of constructing new or expanded school facilities to support the growth anticipated under the proposed project cannot be determined at this time because the site-specific locations and designs of future new or expanded facilities are not known. However, future development within the Plan Area would be required by CEQA to evaluate potential impacts to public services, specifically whether the development would result in substantial adverse impacts (i.e., by necessitating new or physically altered government facilities, the construction of which would cause significant environmental impacts) in order to maintain acceptable service ratios or other performance objectives for schools.

Further, as stated in Impact PUB-3, Section 3.15 Public Services, of the Recirculated Draft PEIR, Specific Plan Policy OS-7.1 requires that the City work with the Clovis Unified School District and the Sanger USD to establish specific locations for high schools and middle schools. The City and school districts will work together to site all new schools and facilities to ensure that the school sites, sizes, and designs meet community needs. This policy also requires the Clovis and Sanger school districts to formalize the collaboration process for siting schools and facilities planning. It also ensures that developers' contributions align with the SEDA standards for community-oriented schools, as described in Open Space Chapter and as further established through City and School District coordination. The timing, orientation, and pace of eventual development in the Plan Area is difficult to predict with specificity. Development patterns may be phased in a number of different ways and without specific development projects identified, it is difficult to predict which areas will generate the need for additional schools.

Future development would be required to pay any development fees applicable at the time site-specific development applications are received which would provide funding to support the development of additional schools and resources as necessary. The City properly evaluated potential impacts and concluded that compliance with the required development fees provided the required mitigation.

Moreover, with respect to indirect impacts, the Draft PEIR provides program-level evaluation and mitigation measures where possible, including addressing air quality, traffic, noise, and other such

issues that may be associated with the development of new or expanded school sites. Site-specific environmental review and mitigation is too speculative at this stage and would be completed by the School Districts as lead agencies for each respective school site as plans for these new schools are developed. Accordingly, future projects would incorporate project level mitigation measures as applicable to mitigate significant impacts to schools. The City fully complied with CEQA in addressing potential impacts on school facilities.

Furthermore, please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

March 19, 2025

Sophia Pagoulatos
City of Fresno
Planning and Development Department
21600 Fresno Street, Room 3065
Fresno, CA 93721

**Project: Recirculated Draft Program Environmental Impact Report for the Fresno Southeast Development Area Specific Plan Project**

**District CEQA Reference No: 20250134**

Dear Ms. Pagoulatos:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the City of Fresno's (City) Recirculated Draft Program Environmental Impact Report (RDPEIR) for the Southeast Development Area Specific Plan (SEDA) (Project). The Project consists of 5,580 acres for up to 45,000 homes and 3,220 acres for commercial and retail businesses, office spaces and professional services, industrial uses, and research facilities. Although this is a program level project and project-specific data may not be available until specific approvals are being granted, the RDPEIR should include a discussion of policies, which when implemented, will reduce or mitigate impacts on air quality at the individual project level. 1

The District offers the following comments at this time regarding the Project:

**1) <u>Land Use Planning</u>**

Nearly all development projects within the San Joaquin Valley Air Basin, from specific plans to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. More specifically, the RDPEIR concludes Project air quality emissions impacts will exceed District 2

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significance thresholds and thus result in significant and unavoidable impacts. As such, the District recommends that the RDPEIR incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

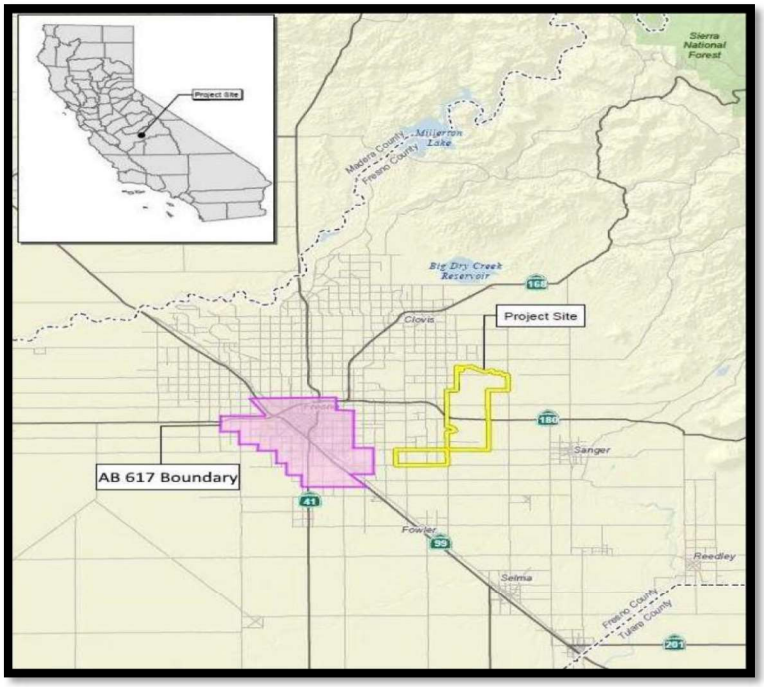
2 CONT

**2) Assembly Bill 617**

Assembly Bill 617 requires California Air Resources Board (CARB) and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantage communities. The Project lies near one of the impacted communities in the State selected by the CARB under the Assembly Bill (AB) 617 (2017, Garcia) and has the potential to expose sensitive receptors to increased air pollution within the nearby impacted community. The South Central Fresno CERP was adopted by the District's Governing Board in September of 2019 and identifies a wide range of measures designed to reduce air pollution exposure. Therefore, in an effort to reduce air pollution exposure to the impacted disadvantaged community, the District recommends the City incorporate mitigation measures outlined in the South Central Fresno CERP for the Project. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: http://community.valleyair.org/selected-communities/south-central-fresno

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**Figure 1: Southeast Development Area Specific Plan**



## 3) Project Related Emissions

The RDPEIR specifically states on page 2-13 that "*The proposed project is a policy level document and does not include any specific development proposals and may not fully evaluate the impacts of other future specific, individual development that may be approved under implementation of the proposed project*".

4

The District recommends that the RDPEIR require that future development projects that may be approved under implementation of the Project identify, assess and characterize project-level air emissions and require mitigation of air quality impacts at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

### 3a) Construction Emissions

The RDPEIR Mitigation Measure (MM) AIR-1B states on page 3.3-44 that *"If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted threshold of significance, project applicants for new development projects shall be required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities."* The RDPEIR MM AIR-1B also contains a list of possible mitigation measures which includes the use of off-road construction equipment that meets United States Environmental Protection Agency (EPA) Tier 4 Final off-road engine emissions standards.

5

Despite significant progress, the San Joaquin Valley faces one of the most significant air quality challenges in the country. Reducing emission from all feasible sources remains essential to sustain clean air progress. As such, the District recommends this mitigation measure be considered for all future development projects to ensure air quality emission impacts from construction activities are lessened.

### 3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf.

6

*Recommended Mitigation Measure*: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner

Heavy Heavy-Duty (HHD) trucks and vehicles. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

6 CONT

**3c) Project Trip Length for HHD Truck Travel**

The RDPEIR page 3.3-60 states, "*The proposed project would permit residential, office, commercial and industrial land uses. Development of land uses that are allowed under the proposed project may result in stationary sources of TAC emissions, including light industrial facilities, warehouses…etc.*"

As a result, the City should include policies that require environmental review for future development projects (e.g. light industrial facilities/warehouses, commercial, etc.). Since the RDPEIR acknowledges these types of development as part of the Project, these development projects have the potential to generate a high volume of HHD truck trips traveling further distances. As such, future environmental review should adequately characterize and justify an appropriate trip length distance for off-site HHD truck travel to and from the project site as well as the estimated number of trips supported by project-specific factors.

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**3d) Recommended Model for Quantifying Air Emissions**

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

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**4) Allowed Uses Not Requiring Project-Specific Discretionary Approval**

In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the RDPEIR include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

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**5) Health Risk Screening/Assessment**

The RDPEIR MM AIR-1D on page 3.3-46 states that development projects with diesel particulate matter and/or toxic air contaminants within 1,000 feet of a sensitive receptor must prepare a Health Risk Assessment (HRA).

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The District would like to clarify that relying solely on the 1,000-foot sensitive receptor distance as a condition to require an HRA may overlook future development projects that are more than 1,000-foot from sensitive receptors that could still pose a significant health risk to sensitive receptors. The District recommends revising MM AIR-1D to at minimum consider the following factors when determining whether an HRA should be performed: the size and scope of project, the amount of air toxic emissions from project construction and operation sources (HHD truck trips, stationary source emissions, etc), the type of pollutants emitted, the proximity to the nearest sensitive receptor, and the expected duration of project construction.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects that may be approved under implementation of the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. 10 CONT

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

<u>Prioritization (Screening Health Risk Assessment)</u>:
A “Prioritization” is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association’s (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation. 11

<u>Health Risk Assessment</u>:
Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District’s

established risk thresholds, which can be found here: https://ww2.valleyair.org/permitting/ceqa/.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by: 11 CONT

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Additionally, per the RDPEIR, MM AIR-1D requires the implementation of Best Available Control Technologies for Toxics (T-BACT) for development projects that exceed health risk thresholds. The District would like to clarify that T-BACT is typically applied as part of District permitting process for stationary sources; whereas the list of T-BACTs under MM AIR-1D may not necessarily apply for stationary sources nor be considered T-BACT. Therefore, for mobile sources and other emission sources not subject to T-BACT, alternative mitigation measures should still be required, as feasible, to minimize air toxic emissions and reduce associated health risks.

## 6) Ambient Air Quality Analysis

The District recommends, an Ambient Air Quality Analysis (AAQA) be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambien Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. 12

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/. 12 CONT

**7) Voluntary Emission Reduction Agreement**

The District recommends the RDPEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that may be approved under implementation of the Project that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies. 13

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

**8) Industrial/Warehouse Emission Reduction Strategies**

The Project is expected to result in the development of industrial uses. Additionally, the RDPEIR specifically page 3.3-60 states, "*The proposed project would permit residential, office, commercial and industrial land uses. Development of land uses that are allowed under the proposed project may result in stationary sources of TAC emissions, including light industrial facilities, warehouses…etc.*" Since the RDPEIR acknowledges the potential development of industrial uses, the District recommends 14

the City incorporate emission reduction strategies that can reduce potential harmful health impacts, such as those listed below:

- Require cleanest available heavy-duty trucks and off-road equipment (see comment 10)
- Require HHD truck routing patterns that limit exposure of residential communities and sensitive receptors to emissions (see comment 9)
- Require minimization of heavy-duty truck idling (see comment 11)
- Require solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
- Orient loading docks away from sensitive receptors unless physically impossible
- Require loading docks a minimum of 500 feet away from the property line of the nearest truck loading bay opening, unless dock is exclusively used for electric trucks
- Incorporate signage and “pavement markings” to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Require truck entries be located on streets of a higher commercial classification
- Locate and require truck entry, exit, and internal circulation away from sensitive receptors
- Prohibit Heavy-Duty diesel truck drive aisles from being used on sides of the building that are directly adjacent to a sensitive receptor property line
- Require a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses
- Require projects be designed to provide the necessary infrastructure to support use of zero-emissions on-road vehicles and off-road equipment (see comment 12)
- Require all building roofs are solar-ready
- Require all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Install solar photovoltaic systems and associated battery storage on the project site
- Require power sources at loading docks for all refrigerated trucks have “plugin” capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and

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industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project
- Ensure all landscaping be drought tolerant

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**9) Truck Routing**

The RDPEIR, specifically pages 2-8 through 2-13, provides the various land-use development types that will be included into the Project. For example, light industrial, manufacturing, commercial, and mixed-use just to name a few. These land-use development types have the potential to generate HHD truck trips. As such, the District recommends the City evaluate HHD truck routing patterns, with the aim of limiting exposure of residential communities and sensitive receptors to emissions.

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors (e.g. residential communities). 15

This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

**10) Cleanest Available Heavy-Duty Trucks**

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies. 16

The RDPEIR, specifically pages 2-8 through 2-13, provides the various land-use development types that will be included into the Project. For example, light industrial, manufacturing, commercial, and mixed-use just to name a few. These

land-use development types have the potential to generate HHD truck trips. As such, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure*: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.
- *Recommended Measure*: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

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**11) Reduce Idling of Heavy-Duty Trucks**

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts. 17

The Project is expected to result in future development (e.g. commercial, industrial, etc.), that have the ability to result in HHD truck trips. The District recommends the RDPEIR be revised to include a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

**12) Electric Infrastructure For Future Development Projects**

The District recommends that the RDPEIR be revised to require all nonresidential buildings be designed to provide electric infrastructure to support the use of on-road zero emissions vehicles, such as HHD trucks associated with a warehouse or commercial project.

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations. 18

Please visit https://ww2.valleyair.org/grants/charge-up for more information.

**13) Under-fired Charbroilers**

Future development projects (e.g. commercial) have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or 19

near sensitive receptors.
Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the RDPEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. 19 CONT

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/

**14) Vegetative Barriers and Urban Greening**

The Project is expected to result in future development (e.g. commercial, industrial, etc.). As such, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery. 20

**15) Clean Lawn and Garden Equipment in the Community**

Gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide 21

residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/. 21 CONT

**16) On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Project. 22

**17) District's Bikeway Incentive Program**

Incorporating design elements (e.g., installing bikeways) within the Project that enhance walkability and connectivity can result in an overall reduction of vehicles miles traveled (VMT) and improve air quality within the area. The Project includes new bikeways and bikeways improvements, and may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: https://ww2.valleyair.org/grants/bike-paths/ Guidelines and Project Eligibility for the grant program can be found at: https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf 23

**18) 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 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 24

(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: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. 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.

**18a) 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). 24 CONT

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

*Recommended Mitigation Measure*: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

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

**18b) District Rule 9510 - Indirect Source Review (ISR)**

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air

design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, future development projects within the Project may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

**Table 1: ISR Applicability Thresholds**

| Development Type | Discretionary Approval Threshold | Ministerial Approval / Allowed Use / By Right Thresholds |
|---|---|---|
| Residential | 50 dwelling units | 250 dwelling units |
| Commercial | 2,000 square feet | 10,000 square feet |
| Light Industrial | 25,000 square feet | 125,000 square feet |
| Heavy Industrial | 100,000 square feet | 500,000 square feet |
| Medical Office | 20,000 square feet | 100,000 square feet |
| General Office | 39,000 square feet | 195,000 square feet |
| Educational Office | 9,000 square feet | 45,000 square feet |
| Government | 10,00 square feet | 50,000 square feet |
| Recreational | 20,000 square feet | 100,000 square feet |
| Other | 9,000 square feet | 45,000 square feet |

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CONT

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview

The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

**18c) District Rule 9410 (Employer Based Trip Reduction)**

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: https://ww2.valleyair.org/compliance/rule-9410-employer-based-trip-reduction/.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

**18d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolition-renovation/

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**18e) District Rule 4601 (Architectural Coatings)**

Future development projects may be subject to District Rule 4601 since they may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf

**18f) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII,

specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx

Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol

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**18g) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/

**18h) Other District Rules and Regulations**

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

**19) Future Projects / Land Use Agency Referral Documents**

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Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents

provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf

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If you have any questions or require further information, please contact Michael Corder by e-mail at Michael.Corder@valleyair.org or by phone at (559) 230-5818.

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Sincerely,

Tom Jordan
Director of Policy and Government Affairs



For: Mark Montelongo
Program Manager

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### *San Joaquin Valley Air Pollution Control District (SJVAPCD)*

*Response to SJVAPCD-1*

The comment is noted. Section 3.3, Air Quality, of the Recirculated Draft PEIR discussed policies and mitigation measures to reduce impacts on air quality at the individual project level. Specifically, Section 3.3.2, Regulatory Framework, details federal, State, regional, and local regulations and policies related to air quality, including but not limited to, the Clean Air Act, various rules from the San Joaquin Valley Air Pollution Control District (SJVAPCD), and policies from the City of Fresno General Plan and proposed Specific Plan. Additionally, the proposed project incorporates MM AIR-1a, MM AIR-1b, MM AIR-1c, MM AIR-1d, and MM AIR-4, which would apply to the proposed project and/or future development under the proposed project. The proposed project would also include Policies HC-3.2 and HC-3.3, which would encourage accessible, mixed-use development and smaller-lot single-family and multi-family housing types to reduce energy use and daily VMT. Policy OS-2.5 would support renewable energy technology systems in open spaces and pursue arrangements with public agencies and private partners to accommodate renewable energy systems. Policy OS-6.1 and Policy OS-6.3 would require park buildings to conform to green building standards and explore renewable energy systems to provide power. Various other policies include Policy RC-1.1 through 1.7 which address the statewide targets set for greenhouse gas emissions (GHG) reductions as set forth in the City's updated GHG Reduction Plan. Further development under the proposed project would be evaluated for impacts to air quality. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to SJVAPCD-2*

The comment is noted. Future development projects associated with the implementation of the proposed project would be required to comply with various rules and regulations related to air quality and VMT. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Future projects would comply with SJVAPCD Rule 9410, which helps to reduce VMT, and emissions associated with work commutes. Policy MT-2-c of the City's General Plan would provide incentives for infill development to reduce citywide VMT. Additionally, the proposed project emphasizes development of mixed-use areas and improvements to active and public transit facilities to reduce VMT. Additionally, MM AIR-1b of the proposed project would require future development projects to demonstrate that off-road construction equipment is equipped with engines meeting the United States Environmental Protection Agency (EPA) Tier IV Final off-road engine emission standards or cleaner.

Furthermore, the proposed Specific Plan is designed to reduce VMT by locating homes, schools, and jobs in proximity to one another while also providing high quality amenities for walking, biking, and public transit. The Specific Plan also includes Policy UF-7.1, which directs the City to conduct parking studies to better understand the parking needs within the Plan Area in order to establish accurate

parking maximums that cap the number of parking spaces associated with land uses or developments. Less demand for parking would reduce VMT and align with the City's VMT Guidelines and reduce emissions. Additionally, the Specific Plan also calls for the development of a comprehensive Transportation Demand Management Strategy to be developed for the Plan which is consistent with the City's VMT program. A mix of uses are intended to be developed in the Plan Area, thereby creating a more compact lifestyle and reducing VMT. Please refer to the Specific Plan for more information regarding how the Specific Plan's land use plan is designed to reduce VMT and GHG emissions. No further response is required.

*Response to SJVAPCD-3*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Also, please refer to *Response to SJVAPCD-1* and *Response to SJVAPCD-2*, which further describe how subsequent development projects would be required to demonstrate compliance with all applicable rules and regulations in place at the time of the application, including all applicable air district rules, and State emission reduction requirements.

MM AIR-1a through MM AIR-1d would require future development projects within the Plan Area to comply with design features that would reduce construction and operational emissions. These mitigation measures are consistent with the goals of the Community Emissions Reduction Plan (CERP) to reduce criteria air pollutant and toxic air contaminants (TAC) emissions generated by the proposed project in impacted disadvantaged communities.

Please also note that the Plan Area is not within a community identified as disproportionately impacted by air pollution under Assembly Bill 617. No further response is required.

*Response to SJVAPCD-4*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. MM AIR-1a through MM AIR-1d would require future development projects within the Plan Area to comply with design features that would reduce construction and operational emissions. These measures would require an evaluation of potential impacts on disadvantaged communities. If operation-related emissions are determined to have the potential to exceed adopted thresholds of significance, applicants would be required to incorporate mitigation measures to reduce air pollutant emissions during construction and operation. No further response is required.

*Response to SJVAPCD-5*
The comment is noted. As specified in Section 3.3, Air Quality, of the Recirculated Draft EIR, all future development would be required to comply with MM AIR-1b prior to project approval. No further response is required.

*Response to SJVAPCD-6*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. All future development would be required to comply with SJVAPCD requirements related to mobile and stationary source operational emissions. If operation-related emissions are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, applicants would be required to incorporate mitigation measures to reduce air pollutant emissions during construction and operation. No further response is required.

*Response to SJVAPCD-7*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As such, future discretionary projects would be required to review environmental impacts to air quality pursuant to CEQA prior to discretionary project approval. No further response is required.

*Response to SJVAPCD-8*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As such, future discretionary projects would be required to review environmental impacts to air quality pursuant to CEQA prior to discretionary project approval, including, but not limited to, quantifying air emissions using California Emissions Estimator Model (CalEEMod). No further response is required.

*Response to SJVAPCD-9*
The comment is noted. MM AIR-1b and MM AIR-1c require development project applicants to prepare and submit a technical assessment evaluating potential project operation-related and construction-related air quality impacts prior to discretionary project approval in conformance with SJVAPCD methodology. It is not anticipated that any large development projects with potential significant air quality impacts would be approved without discretionary review and approval. Ministerial projects that are not subject to environmental review under CEQA must still comply with the Fresno Municipal Code and other applicable rules, regulations, and environmental programs. Accordingly, the City can reasonably rely on these mandatory regulations and policies to reduce potential environmental impacts. No further response is required.

*Response to SJVAPCD-10*
The comment is noted. Clarifying edits have been made in Section 4, Errata, to revise MM AIR-1d to reflect SJVAPCD comments. No further response is required.

*Response to SJVAPCD-11*
The comment is noted. Clarifying edits have been made in Section 4, Errata, to revise MM AIR-1d to reflect SJVAPCD comments.

*Response to SJVAPCD-12*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. MM AIR-1b and MM AIR-1c require development project applicants to prepare and submit a technical assessment evaluating potential project operation-related and construction-related air quality impacts prior to discretionary project approval in conformance with SJVAPCD methodology. If operation- or construction-related emissions are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, applicants would be required to incorporate mitigation measures to reduce air pollutant emissions during construction and operation. No further response is required.

*Response to SJVAPCD-13*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. MM AIR-1b and MM AIR-1c require development project applicants to prepare and submit a technical assessment evaluating potential project operation-related and construction-related air quality impacts prior to discretionary project approval in conformance with SJVAPCD methodology. If operation- or construction-related emissions are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, applicants would be required to incorporate mitigation measures to reduce air pollutant emissions during construction and operation, which can include the *option* of preparing a Voluntary Emission Reduction Agreement (VERA). Therefore, entering into a VERA is one of several feasible mitigation options that is available to be implemented on a site-specific project-by-project basis. No further response is required.

*Response to SJVAPCD-14*
The comment is noted. MM AIR-1c requires future development project applicants to prepare and submit a technical evaluation of project operation-related air quality impacts in conformance with SJVAPCD methodology. Applicants would be required to incorporate mitigation measures to reduce air pollutant emissions during operational activities. Project-specific mitigation measures consistent with the performance standards established by the Draft PEIR mitigation measures would be implemented and made enforceable as applicable on a project-by-project basis during the discretionary review process. All potential measures would be considered, consistent with District guidance. No further response is required.

*Response to SJVAPCD-15*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review

that would be performed as the City receives specific development applications in the Plan Area. The Recirculated Draft PEIR include MM AIR-1b and MM AIR-1c, which requires that future development project applicants prepare and submit a technical assessment evaluating potential project operation-related and construction-related air quality impacts prior to discretionary project approval in conformance with SJVAPCD methodology. Truck routing patterns and associated emissions would be evaluated consistent with the operational analysis requirements of MM AIR-1c. Therefore, no further response is needed.

*Response to SJVAPCD-16*
The comment is noted. All future development projects proposed within the Plan Area would comply with the State's requirements regarding electrification of heavy heavy-duty (HHD) fleets. The ARB regulates emissions from HHD vehicles at the State level to meet the State's emission goals. Trucks used for operations would be required to meet EPA and ARB regulatory requirements that will put more alternatively fueled and clean trucks onto the road. The trucks which meet the new ARB Heavy-Duty Low Nitrogen Oxide (NOX) Omnibus Regulation, and new federal Heavy-Duty Engine and Vehicle Standards will have significantly decreased particulate emissions from today's diesel trucks. Likewise, all on-site service equipment will meet applicable Statewide regulations. No further response is required.

*Response to SJVAPCD-17*
The comment is noted. All HHD trucks would be subject to the State anti-idling regulation (13 California Code of Regulations [CCR] § 2485 and 13 CCR § 2480), which, including but not limited to, restricts truck idling to less than five consecutive minutes. Limiting idling to no greater than three minutes would not clearly lessen any significant environmental impacts to below the significance thresholds because the suggested mitigation is not considerably different compared to compliance with State anti-idling regulation 13 California Code of Regulations Section 2485 and 13 California Code of Regulations Section 2480.

Further, all future development within the Plan Area would be subject to MM AIR-1d, as applicable, which requires an HRA be prepared and mitigation measures to reduce potential health risks to an acceptable level. As discussed in MM AIR-1d, one T-BACT measure includes restricting idling on-site or electrifying warehouse docks to reduce diesel particular matter (DPM). Therefore, MM AIR-1d would satisfy this request. No further response is needed.

*Response to SJVAPCD-18*
The comment is noted. All future development projects within the Plan Area, including ministerial and discretionary projects, are required to comply with the California Green Building Code, which contains electric vehicle charging requirements. Specifically, warehouses are required to provide electric vehicle (EV) supply and distribution equipment, such as spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s) or subpanel(s) shall be installed at the time of construction to accommodate for future medium- and heavy-duty electric vehicles. Therefore, the proposed project would provide the EV charging infrastructure that would support future use of electric trucks. No further response is required.

*Response to SJVAPCD-19*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. The Recirculated Draft PEIR include MM AIR-1b and MM AIR-1c, which requires that future development project applicants prepare and submit a technical assessment evaluating potential project operation-related and construction-related air quality impacts prior to discretionary project approval in conformance with SJVAPCD methodology. Additionally, MM AIR-1d requires that new development proposals with the potential to introduce sources of diesel particulate matter (DPM) and/or toxic air contaminants (TACs) (such as diesel backup generators or significant truck trips) 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, shall prepare and submit to the Director of the Planning and Development Department, or a designee, a HRA. The HRA shall be prepared in accordance with policies and procedures of the most current California Office of Environmental Health Hazard Assessment (OEHHA) and SJVAPCD.

Therefore, individual developments that would include char broilers would be required to assess TACs associated with char broilers, as applicable. In addition, development projects within the Specific Plan would be required to comply with all applicable SJVAPCD rules and regulations, including demonstrating consistency with SJVAPCD Rule 4692 for commercial charbroiling and an associated HRA. No further response is needed.

*Response to SJVAPCD-20*
The comment is noted. All development projects within the Plan Area would be required to meet the City's landscaping requirements, which will be enforced through Conditions of Approvals. The City requires urban greening to be incorporated into projects and requires appropriate landscaping and setbacks (Fresno Municipal Code Chapter 15 Article 23). Therefore, the City's design standards that will be enforced through Conditions of Approvals and the analysis contained in the Draft Recirculated PEIR already address the concerns raised in the comment. No further response is needed.

*Response to SJVAPCD-21*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. *Additionally, p*lease refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

*Response to SJVAPCD-22*
This comment is noted. The California Building Standards Code (CBC) requires that nonresidential projects construct their roofs to be solar-ready to accommodate the future installation of solar panels. The proposed project would be required to comply with the foregoing, thereby contributing

to improved air quality and making progress toward reducing greenhouse gas emissions through the facilitation of the future production of solar energy.

Further, as discussed in the Section 3.6, Energy, of the Recirculated Draft PEIR, the Pacific Gas and Electric Company (PG&E) is the private utility that would supply the proposed project's electricity. No further response is required.

*Response to SJVAPCD-23*
The comment is noted. Various policies of the General Plan and the proposed Specific Plan would promote complete streets, mixed-use and transit-oriented neighborhoods, and increased capacity for alternative transportation modes, which would help reduce air pollutant emissions. As included in the Regulatory Framework section of Section 3.3, Air Quality, of the Recirculated Draft PEIR, these policies include General Plan policies UF-1c, UF-12a-f, UF-14a and 14b, LU-2, LU-3, LU-5-f, RC-4, HC-3-d, HC-3-f, MT-1 and MT-2. Proposed Fresno SEDA Specific Plan policies related to air quality include HC-3.2 and 3.3, OS-6, and the policies included in the draft Plan's Greenhouse Gas Reduction and Conservation chapter, including Policy RC-1.1 through 1.7. These policies promote active transit, clean air measures, and support the reduction in average vehicle trip distances, which contribute to reducing overall per capita VMT in the region. Specifically, Specific Plan Policy RC-1.2, which calls for interconnected transportation facilities to encourage use of alternative modes of transportation and reduce vehicle trips. This policy also ensures the Plan Area is well-served by pedestrian and bicycle infrastructure pursuant to the Active Transportation Plan. No further response is required.

*Response to SJVAPCD-24*
The comment is noted. All future projects proposed within the Plan Area would be required to comply with all applicable rules and regulations. No environmental issues are raised, and no further response is required.

*Response to SJVAPCD-25*
The comment is noted. No environmental issues are raised, and no further response is required.

*Response to SJVAPCD-26*
The comment is noted. No environmental issues are raised, and no further response is required.

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CENTER for BIOLOGICAL DIVERSITY Because life is good.

March 24, 2025

***Sent via email***

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721
longrangeplanning@fresno.gov

**Re: Recirculated Program Environmental Impact Report for the Fresno Southeast Development Area Specific Plan (SCH # 2022020486)**

Dear Ms. Pagoulatos:

These comments are submitted on behalf of the Center for Biological Diversity (the "Center") regarding the Recirculated Program Environmental Impact Report for the Fresno Southeast Development Area Specific Plan (SCH # 2022020486) (the "Project"). The Center has reviewed the Recirculated Program Environmental Impact Report ("EIR") closely and is concerned about errors in the Project's biological resources analysis, inadequate consideration of water supply impacts, staggering air quality impacts that will not be mitigated, and inadequate analysis and mitigation of significant greenhouse gas impacts. The Center urges the City of Fresno to revise the EIR to disclose and analyze these impacts and mitigate accordingly. 1

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Fresno County.

## I. THE EIR LACKS AN ADEQUATE ANALYSIS OF AND MITIGATION FOR THE PROJECT'S IMPACTS TO BIOLOGICAL RESOURCES.

The EIR fails to adequately describe and analyze the Project's impacts to special-status species in and near the Plan area. The EIR also fails to mitigate the Project's significant impacts to local and regional wildlife connectivity. 2

### A. The EIR Fails to Adequately Analyze and Mitigate the Project's Impacts to Birds that Occupy Agricultural Lands

Many bird species throughout North America area experiencing declines. The widely-publicized results of a 2019 research study showed that nearly three billion birds have been lost in the last half-century, with grassland birds experiencing the heaviest losses (Rosenberg et al., 2019). Threats to birds are numerous and complex, and include habitat loss, pesticide and rodenticide use, urban and agricultural development, and climate change, among others.

Although the intensification of agriculture throughout the United States has contributed to these declines (Stanton et al., 2018), some species—including numerous sensitive and special-status birds—are able to use agricultural lands as nesting and/or foraging habitat (Iglay et al., 2017). For example, white-faced ibis, long-billed curlew, and Swainson's hawk all depend to various extents on alfalfa fields for wintering, breeding, and foraging habitat respectively (Hartman & Kyle, 2010). While species richness is lower in agricultural landscapes than intact native habitats, diverse bird communities can still exist in orchards and vineyards. For example, a study of bird community composition across different types of orchards and vineyards in Australia observed 56 species in almond orchards and 48 in vineyards (Luck et al., 2015). As noted in the EIR, orchards make up the majority of the existing landscape of the Plan Area (EIR at 3.4-7), and destruction of these landscapes may have significant impacts on native birds. 2 CONT

The EIR acknowledges that Swainson's hawk and tricolored blackbird may occur in the Plan Area. (EIR at 3.4-9.) If these species (or any other native birds) are present, it is likely that they are using agricultural landscapes for foraging, wintering, and potentially nesting habitat. Conversion of agricultural land to other land uses is therefore extremely likely to impact these species, yet the EIR failed to acknowledge this and failed to provide any analysis on the impacts of agricultural land loss to these species whatsoever. The EIR therefore fails to sufficiently analyze and mitigate its impacts in violation of CEQA.

*Burrowing Owl*

The EIR misrepresents the status of burrowing owls. Burrowing owls are not a special-status species (EIR at 3.4-9), they are a listed species, with all the attendant protections. The California Department of Fish and Wildlife (CDFW) made the Western Burrowing Owl a candidate for listing under the California Endangered Species Act (CESA).[1] As a candidate species, the Western Burrowing Owl now has full protection of a threatened species under CESA. Take of any endangered, threatened, or candidate species that results from a project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9.) 3

Burrowing owls have experienced significant declines in California. The Southwestern California population, which includes burrowing owls local to the Project area, along with two other populations, was recently petitioned for listing as endangered under CESA due to substantial population declines. As the petition states:

> Burrowing owls were historically abundant throughout Southwestern California. Focused surveys from 1991-1993 estimated 263 pairs in the region (227 in the interior and 36 on the coast), a 57-85% decline since the mid-1980s… Resurvey efforts from 2006-2007 estimated 150 pairs in the interior, a further 34%

[1] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227089&inline

> decline… Significant breeding populations remained in western Riverside and southwestern San Bernardino counties, where further recent declines have been documented and long term persistence is unlikely. Southwestern California owls are threatened by urban development, habitat loss, degradation and fragmentation, ground squirrel eradication, coastal predator management, and disturbance. (Miller, 2024).

Any impacts to burrowing owls in the Project area, including loss of current or potential habitat and further habitat fragmentation, will push this population closer to extinction. Harm prevention is especially essential for this species, as scientists have never successfully reintroduced burrowing owls to a location where they have been extirpated, partly due to the owl's strong fidelity to burrow sites. Owls regularly reuse burrows from one year to the next, and prefer not to move to a different burrow, especially during nesting season. Adding more intensive development will hurt this protected species. 3 CONT

The City must recirculate the EIR to acknowledge the listen status of burrowing owls and properly mitigate impacts to avoid take.

*Swainson's Hawk*

As the EIR acknowledges, the Specific Plan could result in approximately 5,000 acres of farmland being converted to urban uses. The EIR wholly fails, however, to address the importance of these agricultural lands as nesting and foraging habitat for the Swainson's hawk, a highly migratory raptor species known to occur in the Specific Plan area. (EIR at 3.4-14.) The Swainson's hawk is listed as a threatened species under the California Endangered Species Act. The EIR does not disclose the potential impact to Swainson's hawks due to the loss of agricultural lands, nor does it evaluate potential mitigation measures for this impact. While the EIR discusses measures to mitigate the loss of farmland, it does not address the value of the lost farmland to Swainson's hawks, and measures that may mitigate the agricultural impact will not necessarily address the biological impact. The EIR should be revised and recirculated to fully disclose and mitigate the Specific Plan's impacts to Swainson's hawks. 4

**B. The EIR's Mitigation for Impacts to Biological Resources is Inadequate and Improperly Deferred.**

Although the Project will have significant impacts on special-status species, the EIR includes no specific or enforceable mitigation measures. The mitigation merely says that take will be "avoided to the greatest extent feasible," if it is unavoidable, further mitigation will be developed by the developer and the City in consultation with CDFW. (EIR at 3.4-31-33.) None of the mitigation measures address any species specifically.

The EIR provides insufficient detail for the public and decision makers to ascertain whether such measures would adequately mitigate the Project's impacts to biological impacts *before* the Project is approved. (See *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670 [EIR inadequate where the success or failure of mitigation efforts "may largely depend upon management plans that have not yet been formulated, and have not been subject to analysis and review within the EIR"]). This improperly deferred mitigation violates CEQA. (see *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670 [EIR inadequate where the success or failure of mitigation efforts "may 5

largely depend upon management plans that have not yet been formulated, and have not been subject to analysis and review within the EIR"]). In the limited circumstances in which deferred mitigation is appropriate, the agency must meet all of the following elements: (1) practical considerations prevented the formulation of mitigation measures during the planning process; (2) the agency committed itself to developing mitigation measures in the future; (3) the agency adopted specific performance criteria prior to project approval; and (4) the EIR lists the mitigation measures to be considered, analyzed, and possibly incorporated into the mitigation plan. (See *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 736-37 [review denied].) As courts have pointed out "[f]undamentally, the development of mitigation measures, as envisioned by CEQA, is not meant to be a bilateral negotiation between a project proponent and the lead agency after project approval, but rather, an open process that also involves other interested agencies and the public." (*Communities for a Better Environment v. City of Richmond*, (2010) 184 Cal.App.4th 70, 93.) The EIR contains no reason why mitigation measures cannot be developed now and does not include specific performance criteria. It violates CEQA and must be revised and recirculated to provide evidence of mitigation now—not in a negotiation between the developer and the agency after approval.

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## II. THE EIR'S ANALYSIS AND MITIGATION OF WATER SUPPLY IMPACTS IS INADEQUATE.

California is facing unprecedented challenges in its effort to allocate and conserve limited water resources, especially as water supply dwindles in the face of climate change and population growth. Studies predict that in the next 35 to 60 years, if emissions of carbon dioxide and other greenhouse gases continue unchecked, the American West's snowpack will continuously shrink, disappearing for a decade or more at a time. (Siirila-Woodburn et al., 2021) Groundwater reserves in the Central Valley have been declining over the past decades, and without proper mitigation, that decline will continue at an accelerated rate due to climate change. (Alam et al., 2019) Consequently, a recent Executive Order from Governor Newsom declared that California must "redouble near-, medium-, and long-term efforts to adapt its water management to a changing climate, shifting precipitation patterns, and water scarcity." (Executive Order N-7-22 (2022).)

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Fresno must engage in a meaningful analysis of climate change's effects on water resources that is in step with evolving scientific knowledge and state regulatory schemes, and include that analysis in its discussion of water supply for the Project. (*Natural Resources Defense Council v. Kempthorne* (2007) 506 F.Supp.2d 322, 369; *County of Butte*, 90 Cal.App.5th at 162, internal citations omitted; *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 3 Cal.5th 497, 504.) Considering that both groundwater and surface water supplies will be negatively impacted by climate change, the EIR must discuss what measures will be implemented to ensure that future water needs will be met.

The EIR concludes that the City's existing water supplies will be adequate to serve future development under the Specific Plan, which could include 45,000 new residential units by 2050, while still meeting existing demands (EIR at 3.18-67). Accordingly, the EIR does not evaluate the Specific Plan's environmental consequences of obtaining new water sources, or its impacts on existing residents.

The EIR's analysis considers potential water availability during wet, dry, and multiple dry years, but its conclusion assumes that the City's long-term average water supply obtained from surface water sources will remain relatively stable. According to Appendix F at p. 6-17 (Water Technical Study), the City's allocation of Fresno Irrigation District water diverted from Kings River is projected to remain at a steady percentage of the average Fresno Irrigation District deliveries between 1964 and 2019—453,800 acre-feet per year. This assumption is likely invalid in light of the foreseeable effects of climate change. Indeed, it is directly inconsistent with the acknowledgment elsewhere in the EIR that "By 2050, the average water supply from snowpack is projected to decline to two-thirds from historical levels. If emissions reductions do not occur, water from snowpack could fall to less than one-third of historical levels by 2100" (EIR at 3.8-10.) 6 CONT

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

## III. THE EIR'S ANALYSIS AND MITIGATION OF AIR QUALITY IMPACTS IS INADEQUATE.

Air quality is a significant environmental and public health concern in California. Unhealthy, polluted air contributes to and exacerbates many diseases and increases mortality rates. The U.S. government has estimated that between 10 to 12 percent of total health costs can be attributed to air pollution. (Ventura County Air Pollution Control District, 2003) Greenhouse gases, such as the air pollutant carbon dioxide, which is released by fossil fuel combustion, contribute directly to human-induced climate change, and in a positive feedback loop, poor air quality that contributes to climate change will in turn worsen the impacts of climate change and attendant air pollution. (Bay Area Air Quality Management District, 2016)

Air pollution and its impacts are felt most heavily by young children, the elderly, pregnant women and people with existing heart and lung disease. People living in poverty are also more susceptible to air pollution as they are less able to relocate to less polluted areas, and their homes and places of work are more likely to be located near sources of pollution, such as freeways or ports, as these areas are more affordable. (American Lung Association, 2024) Some of the nation's most polluted counties are in the Central Valley. (*Ibid*.) According to the American Lung Association's 2024 "State of the Air" report, Fresno County is the second-worst county in the country for particle pollution and sixth-worst county in the country for ozone pollution. (*Ibid*.) Even more disturbing, the same report found that Fresno County is one of only thirty counties in the country that received a "Fail" grade in all air quality metrics. (*Ibid.*) 7

Although there are many different types of air pollution, ozone, PM2.5, and toxic air contaminants (TACs) are of greatest concern in Fresno County. These three air pollutants have been linked to an increased incidence and risk of cancer, birth defects, low birth weights and premature death, in addition to a variety of cardiac and lung diseases such as asthma, COPD,

stroke and heart attack. (American Lung Association, 2024; Laurent et al., 2016) Ozone (commonly referred to as smog) is created by the atmospheric mixing of chemicals released from fossil fuel combustion – such as reactive organic gases (ROG) and nitrogen oxides (NOx) – and sunlight. Although it is invisible, ozone poses one of the greatest health risks, prompting the EPA to strengthen its National Ambient Air Quality Standard for Ozone in 2015. (American Lung Association, 2024.) PM2.5 is a common component of vehicle exhaust emissions and contributes to visible air pollution. These tiny particles are dangerous because they are small enough to escape our body's natural defenses and enter the blood stream. Fugitive dust is a term used for fine particulate matter that results from disturbance by human activity such as construction and road-building operations. (VCAPCD 2003.) TACs are released from vehicle fuels, especially diesel, which accounts for 70% of the cancer risk from TACs. (CARB, 2022) 7 CONT

Air quality analysis and mitigation is crucial here because, by the EIR's own admission, the Project will emit staggering levels of air pollutants. The VOC emissions will exceed the significance threshold by over one hundred times during operations. The NOx emissions are thirty times the limit. In an air basin that already some of the the highest levels of these pollutants in the county, permitting additional pollution on this scale is inexcusable. Doing it without proper analysis, disclosure, and mitigation is a violation of CEQA.

**A. The Project's Air Quality Mitigation is Vague and Improperly Deferred.**

Mitigation must include concrete, specific, and enforceable actions. (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173 [City's urban decay mitigation measures were inadequate under CEQA to address the impact from the development of a 234-acre regional shopping center on undeveloped agricultural land because the measures did not ensure the city would take concrete, measurable actions].) In the limited circumstances in which deferred mitigation is appropriate, the agency must meet all of the following elements: (1) practical considerations prevented the formulation of mitigation measures during the planning process; (2) the agency committed itself to developing mitigation measures in the future; (3) the agency adopted specific performance criteria prior to project approval; and (4) the EIR lists the mitigation measures to be considered, analyzed, and possibly incorporated into the mitigation plan. (14 Cal. Code Regs §15126.4(a)(1)(B); *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 736-37 [review denied]; *San Joaquin Raptor Rescue Ctr. v County of Merced* (2007) 149 Cal.App.4th 645, 670; *Cleveland Nat'l Forest Found. v San Diego Ass'n of Gov'ts* (2017) 17 Cal.App.5th 413, 442.) Unfortunately, the EIR's proposed mitigation fails to meet these standards. 8

Instead of mitigating the significant air quality impacts by requiring specific mitigation measures, the EIR instead relies on mitigation measures AIR-1a through 1d, which amount to a promise to develop a mitigation plan in the future. Mitigation measure AIR-1b, 1c, and 1d say that impacts will be analyzed and mitigated by the applicant after the Project is approved. (EIR at 3.3-43-46.) The mitigation measures list possible methods to reduce emissions that might be required in the future but do not require any of them. Fatally, the mitigation measures do not include any specific performance criteria. Measures 1b and 1c merely promise to "reduce" emissions an unspecified amount, and measure 1c says it will "reduce risks to an acceptable level" without any indication what that might be. This leaves the public and decision-makers

with no assurances that impacts will be mitigated in any significant way, much less to the maximum extent feasible, as required by CEQA.

An EIR is inadequate if "[t]he success or failure of mitigation efforts may largely depend upon management plans that have not yet been formulated, and have not been subject to analysis and review within the EIR." (*San Joaquin Raptor, supra*, 149 Cal.App.4th at p. 670.) As courts have pointed out "[f]undamentally, the development of mitigation measures, as envisioned by CEQA, is not meant to be a bilateral negotiation between a project proponent and the lead agency after project approval, but rather, an open process that also involves other interested agencies and the public." (*Communities for a Better Environment v. City of Richmond*, (2010) 184 Cal.App.4th 70, 93.) Here, the City proposes exactly that—a mitigation plan that will be developed by the City and the developer after Project approval, with no metrics for success. This is especially egregious in an air basin with that has long had some of the worst air in the country, when evaluating a Project that will exceed significance thresholds for air pollutants by up to one hundred times. (EIR at 3.3-51.)

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## IV. THE EIR'S GHG ANALYSIS IS INADEQUATE AND MISLEADING.

The Project will emit significant GHG emissions, which the EIR obscures with an incorrect threshold of significance that ignores feasible mitigation and misrepresents the state's climate plans. The Project will emit 510,791 MT $CO_2e$ at full buildout in 2050, five years after California needs to achieve net zero emissions. (EIR at 3.8-43.) Approving a Project of this scale without adequate consideration of GHG impacts is irresponsible and a violation of CEQA.

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### A. The Climate Crisis Is a Catastrophic and Urgent Threat to California.

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and that climate change threats are becoming increasingly dangerous. The Intergovernmental Panel on Climate Change (IPCC), the leading international scientific body for the assessment of climate change, concluded in its 2023 Sixth Assessment Report that: "[u]nsustainable and unequal energy and land use as well as more than a century of burning fossil fuels have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850-1900 in 2011-2020." (IPCC, 2023) The increase in global surface temperature has resulted in sea level rise, increased frequency of extreme weather events, and has resulted in "irreversible losses" at the species and ecosystem levels. (IPCC, 2023). These findings were echoed in the United States' own 2023 Fifth National Climate Assessment, prepared by scientific experts and reviewed by the National Academy of Sciences and multiple federal agencies. The 2023 Assessment concluded that "[t]he global warming observed over the industrial era is unequivocally caused by greenhouse gas emissions from human activities–primarily burning fossil fuels" and long-term responses include "sea level rise, ice sheet losses, and associated disruptions to human health, social systems, and ecosystems." (US Global Change Research Program, 2023)

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In its 2020 update, the National Academy of Sciences and the Royal Society concluded that climate change is largely a result of human activity, as "natural causes alone are inadequate to explain the recent observed changes in climate." (National Academy of Sciences & Royal Society, 2020) The additional carbon input from human activities has significantly disturbed the

natural carbon cycle, resulting in an imbalance in the system that fosters global climate stability. (National Academy of Sciences & Royal Society, 2020). Based on observed and expected harms from climate change, in 2009 the U.S. Environmental Protection Agency found that greenhouse gas pollution endangers the health and welfare of current and future generations. (74 Fed. Reg. 66496 (Dec. 15, 2009) [U.S. EPA, Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act; Final Rule].) In 2021, EPA again recognized the critical nature of the climate crisis, stating that: "[t]he changing climate is affecting people's health and livelihoods and damaging infrastructure, ecosystems, and social systems in communities in every region of the nation." (US Environmental Protection Agency, 2021)

These authoritative climate assessments decisively recognize the dominant role of greenhouse gases in driving climate change. In its 2023 Assessment Report, IPCC stated that "the extent to which current and future generations will experience a hotter and different world depends on choices now and in the near term." (IPCC, 2023). In order to prevent global warming from reaching an irreversible point, policies must be implemented to reach net zero CO2 emissions and achieve significant reductions in other greenhouse gases. (IPCC, 2023).

The impacts of climate change will be felt by humans and wildlife. Climate change is increasing stress on species and ecosystems—causing species-level changes in morphology, behavior, phenology, and geographic range shifts, and ecosystem-level changes such as the increasing frequency of extreme weather events, widespread changes in productivity, species interactions, and vulnerability to biological invasions (Weiskopf et al., 2020) Climate-change-related local extinctions are already widespread and have occurred in hundreds of species. ((Wiens, 2016) Catastrophic levels of species extinctions are projected during this century if climate change continues unabated (Maclean & Wilson, 2011; Thomas et al., 2004; Urban, 2015) Conservation actions aimed at protecting biodiversity can slow the progression of climate change–the ecosystem services provided by biodiverse ecosystems are an integral part in the balanced functioning of our climate system (Shin et al., 2022)

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Therefore, immediate and aggressive greenhouse gas emissions reductions are necessary to keep warming well below 2°C above pre-industrial levels. The IPCC Sixth Assessment Report and other expert assessments have established global carbon budgets, or the total amount of carbon that can be burned while maintaining some probability of staying below a given temperature target. According to the IPCC, "[t]he best estimates of the remaining carbon budgets from the beginning of 2020 are 500 GtCO2 for a 50% likelihood of limiting global warming to 1.5°C and 1150 GtCO2 for a 67% likelihood of limiting warming to 2°C." (IPCC, 2023). Additionally, "[i]f the annual CO2 emissions between 2020-2030 stayed, on average, at the same level as 2019, the resulting cumulative emissions would almost exhaust the remaining carbon budget for 1.5°C (50%), and deplete more than a third of the remaining carbon budget for 2°C (67%)." (IPCC, 2023). As of 2023, climate policies by the world's countries would lead to an estimated 2.7°C of warming, and possibly up to 3.4°C of warming, well above the level needed to avoid the worst dangers of climate change (Climate Action Tracker, 2023)

The United States has contributed more to climate change than any other country. The U.S. is the world's biggest cumulative emitter of greenhouse gas pollution, responsible for 24

percent of cumulative global CO2 emissions from 1850 to 2022, and the U.S. is currently the world's second highest emitter on an annual and per capita basis (Friedlingstein et al., 2023; Friedrich et al., 2023) U.S. climate policy is wholly inadequate to meet the international climate target to hold global average temperature rise to well below 2°C above pre-industrial levels to avoid the worst dangers of climate change. Current U.S. climate policy has been ranked as "insufficient" by an international team of climate policy experts and climate scientists which concluded: "[w]ithout additional, drastic emission reductions measures, the US will still be far from meeting its domestic climate target, let alone get its emissions onto a 1.5°C trajectory." (Climate Action Tracker, 2023). In its 2018 Special Report on Global Warming of 1.5°C, the IPCC—the leading international scientific body for the assessment of climate change—described the devastating harms that would occur at 2°C warming. The report highlights the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth (IPCC, 2018) The report also provides overwhelming evidence that climate hazards are more urgent and more severe than previously thought, and that aggressive reductions in emissions within the next decade are essential to avoid the most devastating climate change harms.

In California, climate change will transform our climate, resulting in such impacts as increased temperatures and wildfires, and a reduction in snowpack and precipitation levels and water availability (Turco et al., 2023) In response to inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. Enforcement and compliance with these steps are essential to help stabilize the climate and avoid catastrophic impacts to our environment. California has a mandate under AB 1279, the California Climate Crisis Act, to achieve net zero GHG emissions by no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and to ensure that by 2045, statewide GHG emissions are reduced to 85% the level in 1990. (AB 1279 2022.) In 2019, Governor Newsom issued an executive order to leverage state investments to further California's climate goals (Executive Order N-19-19 (2019).) Newsom has continued to issue climate-related executive orders, such as a 2020 order requiring that, by 2035, all passenger vehicles will be zero-emission, in addition to other motor vehicle emission goals. (Executive Order N-79-20 (2020).) Through these bills and orders, California has laid a path that may allow the state to achieve tangible climate solutions, but there is still work to be done.

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Although some sources of GHG emissions may seem insignificant, climate change is a problem with cumulative impacts and effects. (*Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, (9th Cir. 2008) 538 F.3d 1172, 1217 ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis" that agencies must conduct).) One source or one small project may not appear to have a significant effect on climate change, but the combined impacts of many sources can drastically damage California's climate as a whole. Therefore, project-specific GHG emission disclosure, analysis and mitigation is vital to California meeting its climate goals and maintaining our climate.

**B. The EIR fails to accurately analyze and mitigate the GHG impact of destroying habitat and converting agricultural land.**

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The EIR improperly discounts the Specific Plan's anticipated GHG impacts from construction, stating (EIR at 3.8-42) that "Short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change." The

EIR, however, projects that construction emissions will total more than 2.3 million metric tons of CO2 equivalents over 20 years, with average annual emissions of over 115,000 metric tons. (EIR at 3.8-42.) There is no support for the EIR's conclusion that "future development under the proposed project at construction would not result in significant adverse effects related to GHG emissions." (EIR at 3.8-42.)

Moreover, even the 2.3 million MT $CO_2e$ this analysis dismisses is in fact a dramatic underestimation of the construction emissions from the Project because it ignores the loss of carbon sequestration and storage. CEQA requires a thorough disclosure and analysis of a project's impact on climate change. (*See Communities for a Better Env't v. City of Richmond* (2010) 184 Cal.App.4th 70, 89-91). In order to meet CEQA's requirement for adequate analysis, an EIR must disclose all potential sources of a GHG emission resulting from the project. Lead agencies are required to quantify and disclose GHG emissions that would occur during construction. Yet the EIR fails to comply with these requirements. When describing the emissions sources during construction activities, the EIR only lists emissions from "heavy-duty construction equipment, worker trips, and material delivery and handling." (DEIR at 4.8-41). The EIR fails to account for carbon emissions from intact habitats or agricultural landscapes that would be dug up and paved over during construction as well as the annual loss of carbon that existing open space would have continued to sequester for 30 years if the Project were not constructed.

As detailed in a 2023 Center Report, "Hidden in Plain Sight: California's Native Habitats are Valuable Carbon Sinks" (Yap et al., 2023), agricultural lands can store significant amounts of carbon by keeping it from being released and sequester it by removing it from the atmosphere. (Kroodsma & Field, 2006). Carbon cycling in agricultural landscapes can vary greatly depending on crop species and agricultural practices, and some agricultural lands can act as carbon sources themselves (Ceschia et al., 2010). However, numerous crop types—including orchards, which make up the majority of the agricultural landscape of the Plan Area (EIR at 3.4-7)—are able to sequester carbon, and act as carbon sinks (Kroodsma & Field, 2006; Scandellari et al., 2016). 11 CONT

Given the increased urgency in combatting climate change and new knowledge that California is currently not on track to meet its GHG reduction targets, it is important to accurately quantify and mitigate for loss of carbon storage and sequestration potential. However, the EIR fails entirely to consider the impact of conversion of native habitats, open space and agricultural landscapes and the loss of carbon sequestration capacity of these landscapes on GHG emissions. This is an egregious oversight, as the conversion of 5,000 acres of open space to industrial, commercial, residential, or uses necessitates the removal of 5,000 acres of vegetation that is potentially sequestering carbon. This exclusion is particularly inexcusable because CalEEMod, upon which the EIR relies, has the modelling capabilities to calculate the loss of carbon from changes in land use and the associated loss of vegetation (CAPCOA, 2022). The modelling also provides detailed inputs for calculating GHG emissions from land use changes and vegetation loss. While the EIR uses CalEEMod to model the Project's GHG emissions from construction (EIR at 3.8-41), the EIR fails to perform any of the available analyses of land use change and sequestration.

The failure to account for emissions resulting from land conversion and loss of sequestration ability of existing vegetation leads to an inaccurate estimation of total Project emissions. The omission of any sequestration analysis is particularly concerning, as the loss of

sequestration ability of existing landscapes will lead to a continued increased net emissions into the future. The EIR states that "the analysis presented herein quantifies GHG emissions resulting from anticipated development under the plan through the planning horizon of 2040, and describes, calculates, and estimates those emissions." However, because the EIR performs no analysis of carbon sequestration whatsoever, the document fails to account for the annual loss of carbon that existing habitats would have continued to sequester for 30 years if the Project were not constructed. The EIR therefore fails to meet this requirement.

Because the EIR does not account for either carbon emissions resulting from land use conversion, which could be substantial in the proposed Plan, nor the loss of carbon sequestration capacity that will result from such land use conversion, the estimate of total emissions is inaccurate, and the true levels of GHG emissions resulting from the proposed Plan are likely to be higher than stated in the EIR. A supplemental EIR must disclose the carbon emissions associated with the loss of currently stored carbon as well as the loss of future carbon that would have been sequestered by these habitats over the Project lifetime. 11 CONT

CEQA requires the adequate assessment and mitigation of a project's impacts. Destroying native habitats, agricultural landscapes, and open space could release significant amounts of carbon that must be accounted for. An EIR must disclose and "give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts." (Guidelines § 15125(a).) By failing to disclose the carbon emissions associated with the loss of currently stored carbon as well as the loss of future carbon that would have been sequestered by these habitats over the Project lifetime the FEIR fails as an informational document.

### C. The EIR's Analysis of VMT Is Not Supported by Evidence.

The EIR contains a surprising claim—that the Project will shrink the area's VMT per service population over 80%, from 45 down to 5.07. (EIR at 3.17-35.) A VMT per capita of 5 is unheard of in the United States. The VMT per capita in New York City, the most dense and public-transit-oriented area in the country, is 15.2. (US Bureau of Transportation Statistics, 2022) The EIR does not acknowledge the implausibility of this claim, and supports it with no evidence beyond stating that the analysis was done by FresnoABM. The EIR must be revised and recirculated with an evidenced-based analysis of VMT. 12

### D. The EIR's Threshold of Significance Forecloses Consideration of Foreseeable GHG Impacts and Is Not Supported by Substantial Evidence.

A lead agency's selection of a threshold of significance must be supported with substantial evidence. Moreover, a determination that an environmental impact complies with a particular threshold of significance does not relieve a lead agency of its obligation to consider evidence that indicates the impact may be significant despite compliance with the threshold. (CEQA Guidelines § 15064(b)(2).) If evidence shows that an environmental impact might be significant despite the significance standard used in the EIR, the agency must address that evidence. (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1111.) 13

The EIR incorrectly finds a less than significant GHG impact based on claimed consistency with CARB's 2022 Scoping Plan and the Fresno 2022 RTP/SCS (EIR at 3.8-56) and does not support that finding with evidence.

It claims the Project is consistent with the 2022 Scoping Plan, but the consistency analysis is incorrect. First, and most glaringly, the 2022 Scoping Plan requires a reduction in VMT. The EIR's claim to achieve that is contrary to logic and common sense, as discussed above. And the consistency analysis contains other errors. For one example, the EIR says the Project complies with the parts of the Scoping Plan that require adopting energy efficiency and electrification policies because the Project "considers adopting" such policies, and "encourage[es]" compliance with "voluntary energy conservation programs." (EIR at 3.8-46.) Voluntary, unenforceable measures cannot be the basis for a finding of no significant impact. The EIR also says the Project is consistent with the requirement not to convert "greenfield" land to urban uses, but it does not admit that CARB considers agricultural land to be greenfield land. (EIR at 3.8-46, CARB 2025.) A project that develops 5,000 acres of agriculture is not consistent with this requirement.

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The DEIR also purports to find consistency with Fresno COG's 2022 RTP/SCS, but it conducts this analysis at such a high level of generality that it is meaningless. (EIR at 3.8-48-49.) It lists each of the plan's five goals, which are general, aspirational statements that include "improved mobility and accessibility for all" and "vibrant communities that are accessible by sustainable transportation options," and asserts that the Project advances each of these goals in some way. It does not acknowledge that the RTP/SCS contains specific growth projections for different areas of the City, specific action steps to achieve each of the five general goals, and metrics for success, and it does not analyze consistency with any of those aspects of the plan.

Moreover, if some effort generally in line with each of the five goals was all the RTP/SCS required, then the EIR would have to defend this supposed threshold of significance by establishing that any project that "improved mobility and accessibility for all" in any way could not possibly have GHG impacts. Given that under this interpretation the threshold of significance would contain no concrete metrics—either qualitative or quantitative—it would fail the meet CEQA's requirements for an adequate threshold of significance.

**E. The EIR Does Not Mitigate the Project's Foreseeable GHG Impacts.**

The City proposes no mitigation measures at all for GHG emissions. But CEQA does not exempt specific plans from the requirement to adopt all feasible mitigation measures, nor does it relieve program EIRs from the requirement to evaluate feasible mitigation measures for the foreseeable environmental consequences of a specific plan. The EIR concludes that there are no feasible project-specific mitigation measures, but none are considered. In fact, there is a broad range of mitigation measures that can be adopted at the Specific Plan level to guide future development. A representative but non-exclusive list of such measures includes the following:

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- Require onsite renewable energy generation (ideally rooftop solar or community solar) to meet all residential and commercial energy demand.
- Require all construction to exceed Title 24 Energy Efficiency Standards by 20% in light of the Specific Plan's extended buildout.
- Require installation of all-electric energy efficient appliances.
- Require use of high efficiency public street and area lighting.

- Increase transit accessibility and reach by providing transit incentives to construction personnel and future residents; build transit facilities during initial phase of build out; include reliable connections to existing public transit.
- Require pedestrian friendly measures including interconnecting street/pedestrian networks; narrower roadways and shorter block lengths; sidewalks; tree canopy for shade and transit shelters.
- Require traffic calming measures including marked crosswalks, curb extensions, raised crosswalks, roundabouts, and planter strips with native vegetation.
- Require a neighborhood electric vehicle network.
- Require bicycle-friendly designs including bike lanes, bike sharing programs, bike parking, and dedicated bike trails.

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

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- Utilizing existing infill sites that are surrounded by urban uses, and reuse or redevelop previously developed, underutilized land presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).
- Providing proximity to public transit (within ½ mile).
- Ensuring that development does not result in the loss or conversion of the State's natural and working lands.
- Requiring installation of all electric appliances, without any gas connections for space heating, water heating, or indoor cooking.
- Making at least 20 percent of residential units affordable to lower-income residents.
- Ensuring no net loss of existing affordable units.
- Providing EV charging infrastructure at least in accordance with CalGreen Tier 2 standards.

The EIR must be revised and recirculated to include these mitigation measures and others like them to the maximum extent feasible.

## V. CONCLUSION

Thank you for the opportunity to submit comments on the Recirculated Program Environmental Impact Report for the Fresno Southeast Development Area Specific Plan. We urge the City to revise the EIR to address the issues detailed here, and recirculate a legally compliant document.

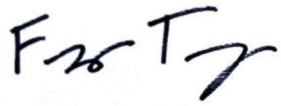
15

Given the possibility that the Center will be required to pursue legal remedies in order to ensure that the City complies with its legal obligations including those arising under CEQA, we would like to remind the City of its statutory duty to maintain and preserve all documents and communications that may constitute part of the "administrative record" of this proceeding. (§ 21167.6(e); *Golden Door Properties, LLC v. Superior Court* (2020) 53 Cal.App.5th 733, 762-65.) The administrative record encompasses any and all documents and communications that relate to any and all actions taken by the City with respect to the Project, and includes "pretty much everything that ever came near a proposed [project] or [] the agency's compliance with

CEQA…" (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further includes all correspondence, emails, and text messages sent to or received by the City's representatives or employees, that relate to the Project, including any correspondence, emails, and text messages sent between the City's representatives or employees and the Applicant's representatives or employees. Maintenance and preservation of the administrative record requires that, *inter alia*, the City (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made. 15 CONT

Please add the Center to your notice list for all future updates to the Project and do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,



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## Organizations

### *Center for Biological Diversity (CBD)*

*Response to CBD-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CBD-2*
The comment is noted. Section 3.4, Biological Resources, of the Recirculated Draft PEIR, evaluated the existing biological setting and potential effects from project implementation on the project site and the surrounding area. This section also identifies mitigation measures to reduce these potential effects to less than significant levels. Descriptions and analysis in this section are based, in part, on the Fresno General Plan (General Plan), the Specific Plan, the Fresno Municipal Code (Municipal Code), aerial photographs and maps, existing reports relevant to the Specific Plan area (Plan Area), and the results of database searches. As noted in this comment, the Recirculated Draft PEIR accurately describes the various vegetation community types present in the Plan Area, including irrigated row and field crops and deciduous orchards.

Section 3.4, Biological Resources of the Recirculated Draft PEIR provided a table (Table 3.4-3, Vegetation Communities within the Plan Area) that identifies the suitability for special-status species per the General Plan. The Recirculated Draft PEIR indicates that deciduous orchards are relatively disturbed, containing very little groundcover and planted trees that provide moderately suitable habitat for only one special-status species: California horned lark. Similarly, irrigated row and field crops contain active agriculture and are significantly disturbed with altered substrates. This vegetation community does not provide a suitable habitat for special-status plant species and provides limited habitat for special-status wildlife species such as burrowing owl and California horned lark. As such, the Recirculated Draft PEIR does identify the habitat suitability for special-status species in agricultural land.

Furthermore, the proposed project would require the implementation of MM BIO-1a through MM BIO-1d, which provide protections for special-status species. All future development within the Plan Area would be required to comply with these mitigation measures. No further response is required.

*Response to CBD-3*
The comment is noted. As specified in Impact BIO-1 in Section 3.4, Biological Resources, a special-status wildlife species is defined as any wildlife species which is listed, or proposed for listing, as threatened or endangered by the USFWS or National Marine Fisheries Service under the provisions of the Endangered Species Act. It also includes any species designated by the CDFW as a “candidate” or “species of concern.” The burrowing owl is accurately described as a California Species of Special Concern in Table 3.4-5, Special-status Wildlife Species within the Plan Area. No further response is required.

*Response to CBD-4*
The comment is noted. Please refer to *Response to CBD-2*. The Recirculated Draft PEIR identifies that the Pasture vegetation community, which makes up less than one percent of the Plan Area, is the

only vegetation community that provides limited habitat for the Swainson's hawk. However, the Recirculated Draft PEIR discloses that the Swainson's hawk has the potential to occur or is known to occur within the Plan Area, and direct project impacts to species listed as a candidate, sensitive, or special-status species by local, State, and federal agencies should be avoided to the greatest extent feasible. However, the Recirculated Draft PEIR acknowledges that it may not be feasible for future projects to avoid these species, and any project-related impacts that result in the direct take of a special-status species may be considered a significant impact. The presence/absence of a special-status species on a project site and the potential to impact a special- status species must be determined prior to project construction. Future development proposed in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources, specifically within the Parks, Open Space, and Schools Element (POSS), as outlined above. Project level implementation of the General Plan Policies POSS-5-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats. Furthermore, incorporation of MM BIO-1a to MM BIO-1d into the conditions of approval would ensure that if one or more of these special-status species occur in the Plan Area, their presence would be detected and the risk of mortality would be avoided to the maximum extent feasible, in accordance with adopted policies and mitigation measures. Additionally, all future development in the Plan Area would be required to comply with the proposed Specific Plan policies pertaining to biological resources, including Policy OS-2.2, which protects passive open space, and Policy OS-5.2, which protects habitat corridors. As such, the Recirculated Draft PEIR accurately finds impacts to special-status species, including the Swainson's Hawk, less than significant with mitigation incorporated.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to CBD-5*

The comment is noted. Please refer to Response to CBD-4, which outlines that General Plan policies, Specific Plan policies, and mitigation measures that would apply to future development within the Plan Area. Please note that the City of Fresno is the Lead Agency for the Specific Plan and the Recirculated Draft PEIR. The proposed project is a policy-level document and does not propose any specific site development at this time. As such, in many cases, it is too speculative to determine what specific mitigation measure is needed; however, the mitigation measures included in Section 3.4, Biological Resources, of the Recirculated Draft PEIR commit future projects within the Plan Area to mitigate any known significant impacts. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. Any future project that could potentially result in a significant impact would be required to analyze any available, feasible mitigation prior to approval. The details of exactly how the mitigation would be achieved will be determined upon completion of environmental review or further study. As such, the proposed project does not improperly defer mitigation.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of

review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As such, this comment does not identify a legitimate basis for recirculation and no further response is required.

*Response to CBD-6*
The comment is noted. Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, describes the existing conditions related to utilities and service systems (water, wastewater, stormwater, and solid waste) in the City and Plan Area as well as the relevant regulatory framework. The section also evaluates the possible impacts related to such utilities and service systems that could result from implementation of the proposed project. Information in the section is based on information provided by the planning documents for each utility type. Water supply and facilities information was obtained from the City of Fresno 2020 Urban Water Management Plan prepared by Water Systems Consulting, Inc. in 2021; the technical memorandum prepared by West Yost Associates in 2013 for the Hydraulic Evaluation of the Proposed 2035 General Plan (General Plan) Land Use Update for the Master Environmental Impact Report (MEIR); and the Water Technical Study prepared for the Specific Plan by Blair, Church & Flynn in 2022 (see Appendix I of the Recirculated Draft PEIR). Recycled water supply and facilities information was obtained from the Recycled Water Master Plan prepared by Carollo in 2010; the Engineering Report for the Production, Distribution and Use of Recycled Water prepared by Blair, Church & Flynn in 2015; and the Recycled Water Technical Study prepared for the Specific Plan by Blair, Church & Flynn in 2022 (see Appendix I of the Recirculated Draft PEIR).

The potential project-related impacts related to utilities and service systems were evaluated on a qualitative basis due to the programmatic nature of this Recirculated Draft PEIR. Qualitative impacts were assessed by evaluating the proposed project's potential for impacting utilities and service systems within the Planning Area based on information regarding the current service commitments and capacities of public service providers within the Plan Area. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

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

The Water Technical Study focused on the analysis of water demand in the Plan Area, and how demand may change based on Specific Plan development. For the General Plan, the technical memorandum prepared by West Yost Associates for the City of Fresno General Plan Update MEIR was used to identify projected water demand data for SEDA. For the Specific Plan analysis, water demand factors were prepared by Akel Engineering as part of the Metro Plan Update. The GIS files for the General and Specific Plan land uses were used to determine the total areas of each land use

classification. The water demand factors were then applied to each area of the corresponding land use classification to determine a total water demand for the Plan Area based on the General Plan and the Specific Plan developments. The total water demand for the Plan Area based on the General Plan analysis was compared to that of the Specific Plan case to identify the total potential change in water demand for the Plan Area.

The Recycled Water Technical Study focused on the analysis of potential recycled water demand in the Plan Area, and how it may affect development in accordance with the Specific Plan. The Plan Area presents a unique opportunity to develop the recycled water distribution system along with the area-wide development, allowing recycled water use to be engrained into the Plan Area. However, recycled water is not yet utilized in the Plan Area, and the Recycled Water planning documents do not account for the development of a recycled water distribution system within the Plan Area until after the planned development of the City's growth areas. Thus, the analysis contained within this section utilizes the best available data, which does consider the projected changes to the City's water supplies, to determine whether the Specific Plan would result in any significant impacts.

The potential long-term impacts related to water supply requirements of the baseline General Plan conditions for the Plan Area versus the proposed Specific Plan conditions for the Plan Area differ by 1.7 percent, which is considered less than significant for full implementation of the proposed Specific Plan with mitigations incorporated. However, as noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis, as necessary.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area under full build out conditions. No further response is required.

*Response to CBD-7*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to CBD-8*
The comment is noted. As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs.

MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. However, due to the magnitude and intensity of

development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. As such, it is too speculative to prepare project-level mitigation measures when the specific details of future development are unknown. Therefore, these practical considerations prevent the proposed project from formulating project-level mitigation during the planning process for the specific plan. However, future development associated with the proposed project would be required to comply with the plan-level mitigation measures identified in Section 3.3, Air Quality, of the Recirculated Draft PEIR and undergo CEQA analysis on a project-by-project basis as necessary. The mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Ultimately, compliance with these plan-level mitigation measures will help determine what project-specific mitigation measures would need to be implemented for each specific development project.

Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. Furthermore, applicable SJVAPCD rules and regulations, including project-specific air district significance thresholds, in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible for each future development within the Plan Area. As such, the proposed project does not improperly defer mitigation.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Additionally, please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. The comment does not identify a legitimate basis for recirculation, and as such, no further response is required.

*Response to CBD-9*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with

the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5th District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Plan includes reduction targets for 2035; however, the full 25 year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis will evaluate the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs. The comment does not identify a legitimate basis for recirculation, and as such, no further response is required.

*Response to CBD-10*
The comment is noted. Please refer to *Response to CBD-9*. Additionally, please note that the City of Fresno is the Lead Agency for the Specific Plan and the Recirculated Draft PEIR. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to CBD-11*
The comment is noted. Please refer to *Response to CBD-9*, which outlines the methodology used to analyze GHG impacts in the Recirculated Draft PEIR. As discussed above, the proposed project's GHG emissions impact determination is based on the extent to which the project complies with regulations or requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Implementation of the proposed project would contribute

to global climate change through direct emissions of GHG from on-site area sources and vehicle trips generated by the proposed project, and indirectly through off-site energy production required for on-site activities, water use, and waste disposal.

The proposed project's short-term construction-related GHG emissions were estimated using the California Emission Estimator Model (CalEEMod). CalEEMod is a Statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. Therefore, the construction impacts were analyzed using this accepted, uniform model.

As discussed in *Response to CBD-9*, the GHG analysis is cumulative in nature, so the analysis is based on consistency with applicable plans that account for the GHG reduction on a State, regional, and local scale. Specifically, the analysis in the Recirculated Draft PEIR evaluate the consistency of the proposed project with CARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. This master responses provide additional information on the scope of CEQA. The comment does not identify a legitimate basis for recirculation of the preparation of additional environmental documents, and as such, no further response is required.

*Response to CBD-12*
The comment is noted. The City of Fresno CEQA standards for land use plans, such as SEDA, states that the project should compare the base year existing VMT per capita and/or VMT per employee with the horizon year with project VMT per capita and/or VMT per employee. If the horizon year with project VMT is higher than the base year, then there will be an impact. The project generates fewer VMT/capita and VMT/employee in the horizon year, and thus the impact would be less than significant. As such, the analysis included in Section 3.17, Transportation and Traffic, was appropriately analyzed using this guidance. The latest approved version of the Fresno Activity Based Travel Demand Model (FresnoABM) was obtained for use in travel demand forecasting and VMT analysis for this project. All traffic volume forecasts were adjusted, using the difference (delta) method, to account for the difference between existing counts and base year model forecasts. The FresnoABM has a base year of 2019 and a forecast year of 2035, while the count data collected from the Fresno City count database were from the year 2018.

The VMT per Service Population in the project area with the project built out in 2035 drops from 45.72 to 5.07. There is a substantial reduction in VMT per Service Population in the horizon year (2035). While total VMT is projected to increase due to population and employment growth, the VMT per Service Population is expected to decrease from 45.72 in the "No Project" scenario to 5.07 in the "With Project" scenario. The transition from a mostly rural area (which the project area

currently is) to a developed urbanized mixed-use site results in a large VMT reduction. This is because trip distances for both the production side (residential) and attraction side (commercial) are shortened since residents and employees are now better connected to jobs and services within the project area. By grouping residential, commercial, and employment land uses, the proposed project minimizes the needs for long vehicular trips. This integration significantly reduces trip lengths, as daily needs can be met within the Plan Area itself. This significant reduction demonstrates the proposed project's alignment with sustainable land use and transportation principles, as it facilitates shorter and more efficient trips for residents and employees.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to CBD-13*
The comment is noted. Please refer to *Responses to CBD-9 through CBD-12*. No further response is required.

*Response to CBD-14*
The comment is noted. As previously discussed, no single land use project could generate enough GHG emissions to noticeably change the global average temperature. Cumulative GHG emissions, however, contribute to global climate change and its significant adverse environmental impacts. The proposed project would be consistent with relevant plans, policies, and regulations associated with GHGs, notably the most recent version 2022 version of ARB's Scoping Plan, as well as the SJCOG's 2022 RTP/SCS and the City's General Plan. The proposed project would not impede upon the State's ability to reach mandated GHG reduction targets in the future and will support State-level efforts to reduce GHG emissions. Therefore, development of the proposed project would have a less than significant cumulative impact relative to this environmental topic. In addition, the implementation of MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to further reduce GHG emissions along with criteria air pollutants and toxic air contaminants. Notably, MM AIR-1c includes potential mitigation strategies that address the majority of mitigation measures proposed by the comment.

The proposed project would also include Policies HC-3.2 and HC-3.3, which would encourage accessible, mixed-use development and smaller-lot single-family and multi-family housing types to reduce energy use and daily VMT. Policy OS-2.5 would support renewable energy technology systems in open spaces and pursue arrangements with public agencies and private partners to accommodate renewable energy systems. Policy OS-6.1 and Policy OS-6.3 would require park buildings to conform to green building standards and explore renewable energy systems to provide power. Various other policies include Policy RC-1.1 through 1.7 which address the statewide targets set for greenhouse gas emissions (GHG) reductions as set forth in the City's updated GHG Reduction Plan.

As individual projects applications are submitted, the City will review to identify appropriate project-specific mitigation related to energy efficiency and transit. No further response is required.

*Response to CBD-15*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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PATIENCE MILROD
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March 24, 2025

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721
*Sent by email: longrangeplanning@fresno.gov*

RE: Public Comment on 2025 Recirculated draft Program Environmental Impact Report for Southeast Development Area Plan

Dear Ms. Pagoulatos:

On behalf of the Fresno Madera Tulare and Kings Counties Central Labor Council and Regenerate California Innovation (RCI), I respectfully request the City incorporate the following comments, and attachments, regarding the Southeast Development Area Specific Plan and Recirculated draft Program Environmental Impact Report into the record of this matter. We look forward to substantive responses to these comments. 1

**NOTE: Due to the fact that the infrastructure plan, budget, and public facilities financing plan have not yet been released for public review or comment, these commenters respectfully request an extension of 45 days from the date they are released for public comment on the SEDA Recirculated draft EIR. See section 7.e, infra.**

**1. The City's contract with HCD does not require that the City Council adopt the SEDA Plan, nor that it approve the SEDA EIR.** 2

The City's application for the grant that funded the SEDA EIR[1] includes Schedule F, which identifies Council adoption as a "deliverable" under the grant. The Grant Agreement itself,[2]

[1] Attached hereto as Exhibit 1.

[2] Attached hereto as Exhibit 2. See specifically, Exhibit D, Section 4 (Remedies of [sic] Non-performance), subsection E. Similarly, Senate Bill 2 Planning Grant Program Year 1 Guidelines (https://www.hcd.ca.gov/grants-funding/active-funding/planning-grants/docs/sb2-planning-grant-

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however, while requiring a "strong implementation component," recognizes that the locality may only formally adopt the completed planning document "where appropriate."

In this case, for the reasons set out in this letter, adoption of the SEDA Plan and approval of the Recirculated Program Environmental Impact Report would not be an appropriate exercise of the City Council's legislative discretion, nor can the SB2 grant award contract compel the City Council to exercise its sovereign legislative discretion in such a fashion.

**2. If the language of Section 4 of the Grant Agreement were to be interpreted as requiring the City Council to adopt the SEDA Plan and associated documents, it would be null, void *ab initio*, and unenforceable.**

At Section 17, the General Terms and Conditions applicable to the grant award contract provide for severability "[i]n the event that any provision of this Agreement is unenforceable or held to be unenforceable." Standard Grant Conditions also provide for severability of unenforceable provisions, at Section 10.A.

However, "[t]he California Constitution provides that a county or city may make and enforce within its limits 'all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.' (Cal. Const., art. XI, § 7.) From this police power, a California city derives its power to control land use and enact comprehensive land use and zoning laws." *Discovery Builders, Inc. v. City of Oakland*, 92 Cal.App.5th 799, 810, 310 Cal.Rptr.3d 241, 249 (2023) [citations omitted]. 2 CONT

Since land use regulations involve the exercise of police power (*Summit Media LLC v. City of Los Angeles,* 211 Cal.App.4th 921, 934, 150 Cal.Rptr.3d 574 (2012)), any agreement that functions to divest a municipality of its ability to exercise its police power with respect to land use laws is invalid. *Discovery Builders, supra*, 92 Cal.App.5th at 812. This responsibility extends to a city's consideration of an environmental impact report: "CEQA confers the duty upon the local lead agency to produce an adequate EIR" and this "statutory obligation may not be the consideration for a contract or promise, nor may the County bargain away its constitutional duty to regulate development." *Mission Oaks Ranch, Ltd. v. County of Santa Barbara,* 65 Cal.App.4th 713, 723 (1998), quoted in *Discovery Builders, supra*, 92 Cal.App.5th at 812.

Thus, the City of Fresno could not have obligated itself as a condition of grant approval to adopt the SEDA Plan, nor to approve the SEDA EIR. In this situation in particular, the EIR is so inadequate across multiple functions, chapters, and analyses that approval would constitute an abuse of discretion.

**3. The City has violated material terms of its SB 2 agreement with HCD in the following respects:** 3

guidelines.pdf) include plan adoption among Program Objectives (Section 101, subd. (a) and (b)), Eligible Uses for the funding (Section 302, subd. (a) and (b)). However, among Remedies of [sic] Non-performance, Section 603(c) suggests only that "Localities that do not formally adopt the funded activity could be subject to repayment of the grant." [emphasis added]

**a. The City has failed to produce a Public Review Draft of the Infrastructure Plan, Infrastructure Financing Plan, and Fee Nexus Study.**

At Section C, subsection 3 of the City's application for the planning grant that funded the SEDA Plan and PEIR, the City commits to using the funding in support of a State Priority Policy Area, specifically "Housing Related Infrastructure Financing and Fee Reduction Strategies." Under Section D, Proposed Activities Checklist, the City commits to item 15, "infrastructure financing plans." At Section E, Project Description, the City acknowledges that "an infrastructure assessment [and] fiscal nexus study must be completed prior to adoption [of a SEDA Specific Plan]." At Appendix A, the City recognizes explicitly that:

> "To implement a large-scale master planned community including infrastructure improvements and annexation, an analysis of the currently existing infrastructure, the infrastructure necessary to support development, and the gap is required. Additionally, the General Plan of the City of Fresno requires that all new annexations are fiscally neutral expansions to the City's General Fund budget. This requires a fiscal nexus study to show the anticipated costs and revenues associated with the annexation and mechanisms to fund any needed infrastructure gaps."

3 CONT

The costs of preparing the Infrastructure Assessment, Financing Plan, and Fee Nexus Study were built into the grant application, at a cost of $87,500.[3] The 2020 Consultant Services Agreement between the City and HCD incorporated these items as deliverables[4]. Nevertheless, as of the date of this writing, the studies, plans, budget, etc. are not available. In 2023, in response to requests for information from members of the public, the City admitted that it had such documents, but refused to make them public, claiming (without evidence or justification) that they were "privileged," that the public interest in keeping them secret outweighed the public interest in disclosing them, because the studies were "ongoing" (even though the Plan and its PEIR had already been released for public comment), and that disclosure of infrastructure cost estimates would provide "incomplete information."

Given the complexity of the SEDA planning project, and the fact that an infrastructure analysis, budget, plan, nexus study, and financing mechanisms are integral components of the SEDA Specific Plan *and have environmental impact ramifications*, the City's failure to release these documents with the Specific Plan and PEIR is a material breach of the City's commitments to HCD in accepting SB2 grant funding.

**b. The SEDA Plan and Recirculated DPEIR show the City's grant application misrepresented that it would use SB 2 grant funding to "accelerate housing production."**

4

[3] City SB2 Planning Grants Application, Schedule F.

[4] Consultant Service Agreement between City of Fresno (City) and FirstCarbon Solutions (Consultant), Southeast Development Area Specific Plan, executed November 4, 2020, Scope of Services, Subtask 1.1.2, 1.1.3 – 1.1.7, 1.1.8 – 1.1.9, and Task 2.

The City's grant application, Section D, subsection 3, claimed the Plan would include "environmental analyses that eliminate the need for project-specific review." At Section E, Project Description, the City promised to deliver a Program EIR under which "future development will also utilize an expanded exemption under Government Code Section 65457 that will apply to certain residential, commercial, and mixed-use projects that are consistent with a specific plan adopted pursuant to Government Code, Article 8, Chapter 3 and would be exempt from CEQA."

The Government Code § 65457 exemption would create a no-new-EIR presumption for all projects within SEDA, unless somebody happens to become aware of and can make the case that the proposed development project requires "substantial changes" to the PEIR, that there have been "substantial changes" in circumstances requiring major revisions to the PEIR, and/or that there is new information unknown (and unknowable) at the time of PEIR certification. Public Resources Code § 21166.

This is all well and good when the Plan-level PEIR has accurately analyzed the environmental impact data, and has created the Plan-level coordinated mitigation structures that will realistically minimize cumulative impacts, either through Plan-level design and land use decisions or through enforceable conditions of project approvals. But the SEDA Plan EIR does not deliver on the promised "environmental analyses that eliminate the need for project-specific review."

4
CONT

Generally, the SEDA draft PEIR unlawfully abdicates its responsibility to calculate impacts, disclaiming capacity to calculate impacts of the SEDA Specific Plan because site- and project-level planning have not yet been done. The PEIR essentially takes the position that Plan-level mitigation is impossible, as exemplified by its approach to air quality impacts: "*there is currently not enough information to quantify emissions* of specific project development that may occur under the proposed project. … *[D]ue to the size of the proposed {SEDA Plan] project,* there is not sufficient feasible mitigation available to reduce the potential criteria pollutant emissions associated with the proposed project to levels that would not exceed the Valley Air District thresholds of significance." PEIR, p. ES-6 [emphasis added].

In fact, the PEIR appears indifferent to the concept of plan-level mitigation. As drafted, impact analysis and mitigation either would occur on a piecemeal basis, as discretionary projects within the SEDA footprint come up for approval, or would not occur at all, as future SEDA development projects get a pass, falsely claiming approval of the PEIR means impacts have already been considered and mitigated, and using § 65457 to "tier" off phantom environmental impact analyses and nonexistent mitigation measures. This approach defeats one of the essential functions of a Program EIR, to "ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis." CEQA Guidelines, § 15168(b)(2).

Here, the Plan promotes case-by-case environmental impacts analyses, as each SEDA development project is proposed. Similarly, determination and application of missing mitigation measures are deferred to environmental reviews of discretionary projects (if such environmental reviews are ever done), again one by one. The result at the Specific Plan level is

fatally deficient cumulative impact analyses, no (or illusory) mitigation to address cumulative impacts, and very few additional-analysis conditions on project-level entitlements. These failures of analysis show the City has failed to fulfill its commitment to create a Specific Plan that "accelerates housing production." 4 CONT

**c. The City has failed to produce the streamlining checklist promised in its grant application.**

The City's grant application, Section E, Project Description, promised that the Program EIR to be funded with SB2 grant monies "will include a detailed programmatic evaluation of activities to be carried out through [the] Specific Plan and will allow the City to incorporate feasible mitigation measures including a streamlining checklist to evaluate site specific operations within the scope of the program EIR. This use of streamlining will fast-track the production of much-needed housing for the City and the region."

This concept of streamlining meshes well with a Specific Plan calling for tens of thousands of units over 9,000 acres, to be implemented in a largely greenfield geography ten miles from the city's center. Such a checklist could incorporate many standard mitigation measures to reduce the massive environmental impacts that implementation of such a plan unavoidably entails. If the City had followed through on its commitment to include "environmental analyses that eliminate the need for project-specific review," deploying those analyses in a checklist format would have been an excellent strategy for expediting new-home construction. 5

However, neither the SEDA Plan, nor any of the three versions of the draft PEIR released to date, provides any such "streamlining checklist." Instead, both the Plan and the EIR repeatedly admit that the City will only evaluate "site specific" impacts within SEDA on a project-by-project basis, and will with each project start from scratch on whether there will be environmental review, whether there are impacts that meet the threshold of Public Resources Code 21166, and whether mitigation measures will be imposed, and if so which ones. (Please see comments, infra, regarding mitigation measures and the EIR as a tiering document.)

This approach is the very opposite of a "fast-track" to production of new housing, building both delays and expensive environmental reviews into discretionary development projects within the SEDA footprint.

**4. The City cannot approve the SEDA Plan and EIR until it has a valid General Plan.**

In its now-invalidated[5] 2021 Greenhouse Gas Reduction Plan, the City acknowledged that its 2014 General Plan was no longer compliant with new laws and regulations.[6] A general plan 6

[5] *South Fresno Community Alliance v. City of Fresno*, 2024 WL 3663122, August 6, 2024.

[6] City of Fresno GHG Reduction Plan Update, March 2021, pp. 1-1 (General Plan's Greenhouse Gas Appendix must be updated to comply with SB 32, CARB's Climate Change Scoping Plan, and the California Supreme Court's Newhall Ranch decision); and 1-2 (General Plan update required in order to bring it into conformance with current local and State law. CLC and RCI join, and incorporate by this reference, the portions of the March 24, 2025, comment letter submitted by Douglas Carstens and

must be reviewed and revised as circumstances warrant. Gov't Code § 65103, subd. (a); *DeVita v. County of Napa,* 9 Cal.4th 763, 792 (1995) ("the [planning] agency … is *required* periodically to review and *revise* the general plan to ensure that its elements remain integrated and internally consistent." [emphasis in original]). Above all, "the status of a general plan as the 'constitution' for the City's development requires that the plan be reasonably complete and current." *Camp v. Board of Supervisors,* 123 Cal.App.3d 334, 351, 176 Cal.Rptr. 620 (1981).

The level of housing need, and demand, is a crucial component of a city's land use planning decisions, and flows directly from the rate at which the city's population is growing. The City of Fresno's 2014 General Plan was based on an average annual growth rate of 1.24%[7]. However, the city is no longer growing at that robust pace. The City's March 2025 draft EIR for the West Area Neighborhood Specific Plan acknowledges this new reality, citing U.S. Census Bureau and California State Department of Finance data showing Fresno's growth at one-sixth the 2014 rate—0.2%—as of 2024.[8] Population growth out to 2035 for the whole City of Fresno is thus reduced from 2014 projections by approximately 184,000 residents[9]—well over the anticipated population of SEDA alone. 6 CONT

Approval of SEDA's 45,000-unit plan based on the 2014 General Plan's materially outdated and erroneous population projections and housing demand assumptions would be consistent with the 2014 General Plan, but also an abuse of discretion because contradicted by more recent and more accurate record evidence. This is the very reason a planning agency must keep its General Plan "reasonably complete and current."

**5. If the 2014 General Plan is not invalidated by failure to comply with State mandates, changed circumstances, and new information, the SEDA EIR would have to be consistent with that General Plan. It is not.** 7

**a. The SEDA Plan's Consistency analysis is fatally flawed.**

The Draft PEIR offers a General Plan Consistency Analysis at p. 3.11-24 to -37, Table 3.11-1. However, many of the consistency determinations sound more like Orwellian double

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Michelle Black on behalf of the Sierra Club, Central Valley Partnership, and League of Women Voters that relate to the General Plan's failures to comply with AB 170 (Gov't. Code § 65302.1—General Plans must incorporate specified air pollution information) and SB 1000 (Gov't. Code § 65302(h)(2)—General Plans must incorporate an Environmental Justice element).

[7] City of Fresno 2014 General Plan, p. 1-24.

[8] Recirculated Draft EIR – West Area Neighborhoods Specific Plan, p. 3.12-1, Table 3.12.1—Environmental Setting—Demographics--Population Trends.

[9] The 2014 General Plan projects 226,000 new residents by 2035 (p. 1-23); Department of Finance growth projections would result in only about 22,877 new city residents during that period (calculated from Department of Finance's predicted 41,594 County population growth, multiplied by historical City of Fresno 55% share of county population increases). See also, fn. 11, infra.

speak[10] than planning professionals' analysis. A few examples (of many) follow. They have in common that they rely on unquantified assertions unsupported by record evidence, and/or in fact contradicted by the evidence in the record.

**UF-12:** "Locate roughly one-half of future residential development in infill areas—defined as being within the City on December 31, 2012— including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other noncorridor infill areas, and vacant land. *Consistency Determination*: Consistent. The proposed project is consistent with the City's strategy to focus on infill development within existing City limits. The proposed project would minimize the City's outward expansion while promoting vibrant, sustainable communities." SEDA EIR, p. 3.11-26.

**IN FACT:** Not consistent. Approval of SEDA would torpedo the General Plan's goal of ensuring approximately one-half of future residential development would occur in infill areas. (See, UF-13, *infra*.) Moreover, the proposed project itself is the very antithesis of "infill," since it is not located within the City limits and does not in any other way resemble infill. Its siting outside the very farthest southeast rim of the City *maximizes* outward expansion, and the massive additional infrastructure that must be built to serve it will create a growth-inducing dynamic far from the infill areas that are the focus of the 2014 General Plan. Finally, the expenditures on those SEDA-serving infrastructure projects will suck resources away from the billions of dollars in infrastructure construction, replacement, improvement, and repair that would "promot[e] vibrant, sustainable communities" within the City limits.

7 CONT

**UF-13** **"**Locate roughly one-half of future residential development in the Growth Areas—defined as unincorporated land as of December 31, 2012 SOI—which are to be developed with Complete Neighborhoods that include housing, services, and recreation; mixed-use centers; or along future BRT corridors. *Consistency Determination*: Consistent. The proposed project is a comprehensive plan for the nearly 9,000-acre Southeast Growth Area. The proposed project concentrates residential development in Neighborhood Town Centers, consistent with the General Plan concept of complete neighborhoods." SEDA EIR, p. 3.11-26.

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**IN FACT:** Not consistent. Approval of SEDA would torpedo the General Plan's goal of limiting development in Growth Areas to one-half of new residential construction. Due to reduced population projections, and concomitant reduced housing demand, the

[10] "**Doublespeak** is language that deliberately obscures, disguises, distorts, or reverses the meaning of words. Doublespeak may take the form of euphemisms (e.g., 'downsizing' for layoffs and 'servicing the target' for bombing), in which case it is primarily meant to make the truth sound more palatable. It may also refer to intentional ambiguity in language or to actual inversions of meaning. In such cases, doublespeak disguises the nature of the truth. Doublespeak is most closely associated with political language used by large entities such as corporations and governments." Wikipedia, https://en.wikipedia.org/wiki/Doublespeak, accessed March 19, 2025 [bolded emphasis in original; internal links and footnotes omitted].

whole city of Fresno will need only about 7,600 new housing units by 2035. The SEDA's 2035 target is 14,900, almost twice the number needed[11] for the entire city during that period, and perversely incentivizing suburban sprawl[12] over the infill development the General Plan seeks to promote. 8 CONT

**LU-2** "Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents. *Consistency Determination*: Consistent. The proposed project provides for the development of a range of housing types, building forms, and land uses to meet the needs of both existing and future residents." SEDA EIR, p. 3.11-26. 9

**IN FACT:** Not consistent. As is apparent from the Project Description[13], SEDA is a greenfield plan, not an infill plan. However well-planned they may be, SEDA's 9,000 acres are located far from the portions of the City that could reasonably meet the 2014 General Plan's definition of "infill" in UF-12, *supra*.

**LU-4** "Enhance existing residential neighborhoods through regulations, code enforcement, and compatible infill development. *Consistency Determination*: Consistent. The proposed project would design and implement a vision that would allow new growth to occur without negatively affecting existing neighborhoods. 10

**IN FACT:** Not consistent. The SEDA Specific Plan and EIR include no analyses, policies, or provisions that could conceivably affect regulations, code enforcement, or infill development in existing neighborhoods in the City of Fresno, except negatively. Far more likely, adoption of the Plan would extinguish possibilities for new infill development, including by sapping resources needed for infill-supporting infrastructure

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[11] Assuming, based on state Department of Finance 2035 projections: Fresno County population increase of 41,594 people x 55% (historical City of Fresno share of population growth) = 22,877 people, ÷ 3 (average number of persons/dwelling unit) = 7,626, total dwelling units needed to accommodate population growth in the entire City of Fresno by 2035.

[12] This dynamic has been well documented. See, e.g., Patterns of Sprawl in Fresno and the Central San Joaquin Valley, Freemark, Fu, Rosenow, Su, May 2024, p.8 (copy attached): "As sprawl redirects growth from one part of a metropolitan area to another, one additional consequence is that housing development becomes rare in jurisdictions and neighborhoods with low incomes and low demand, since developers can respond to demand for homes by building at the far edge of regions, where there are low land costs and high demand (Freemark 2022). This may lead to low-income neighborhoods experiencing disinvestment and decay, while high-income, suburban neighborhoods benefit from the majority of private and public investment." Accord, Fresno Urban Decay Analysis, ECONorthwest, 2023 (copy attached).

[13] "The predominant existing use in the Plan Area (approximately 5,000 acres) is agriculture, primarily vineyards, orchards, and vegetable farms. The average parcel size is approximately 25 acres and is typically used for growing a range of crops. The Plan Area also contains agriculture-related and commercial operations, such as plant nurseries, wineries, and other various agricultural businesses." SEDA Recirculated Draft PEIR, p. 2-4.

improvements and for the repairs and maintenance that legacy neighborhoods need to avoid falling into blight and decay. 10 CONT

**LU-5** "Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities. *Consistency Determination*: Consistent. The proposed project would design and implement a vision that would allow the City to grow in ways that equitably expand the economy and housing stock while protecting public health. The proposed project represents an opportunity to meet emerging market demands, provide much-needed diversity in housing stock, and enrich communities with safe, walkable, and inspiring urban environments."

**IN FACT:** Not consistent. The SEDA Plan, proposing intensive development of a 9,000-acre greenfields site, will require massive new construction of public facilities, whereas "efficient use" of resources and public facilities would dictate that the City satisfy its future housing needs in an area where such facilities already exist, such as the West Area Neighborhood Plan area, or the thousands of infill sites within the city limits. The effect of new growth into SEDA will not promote equity nor "enrich" existing neighborhoods (where Fresno's low-income housing stock is located), but will deprive those neighborhoods of resources they need to fight blight and decay. The Plan does not impose conditions of entitlement on SEDA developments that would be at all likely to supplement the City's stock of low-income housing. Finally, the public health protection claim here flies directly in the face of the air quality impacts data in the PEIR Appendix B, which show huge unmitigated increases in air pollutants, toxic air contaminants, and diesel particulate matter. Notwithstanding CEQA and California Supreme Court mandates, the EIR fails to calculate the ozone pollution that Plan development would generate, or to provide a human health impact analysis. A claim that the plan protects human health, on this record, is facially false. 11

**LU-9** "Plan land uses, design, and development intensities to supplement and support, and not compete with, the Downtown. *Consistency Determination*: Consistent. The proposed project is a comprehensive plan for the nearly 9,000-acre Southeast Growth Area, located to the east of the Downtown. The proposed project concentrates residential development in Neighborhood Town Centers, consistent with the General Plan concept of complete neighborhoods. These uses would support the Downtown but would not compete with the Downtown." 12

**IN FACT:** Not consistent. The SEDA Plan area is ten miles from Fresno's Downtown. *At best* it will compete with Downtown, drawing away the private investments and public institutions that give an urban downtown core its crucial role in a city's life. More likely, the SEDA development will make it impossible for the City to supplement state grants to ensure completion of downtown infrastructure upgrades, essential to a thriving downtown.

**b. The SEDA Specific Plan violates California's Planning and Zoning Law in that its leapfrog approach to growth fundamentally contradicts the 2014 General Plan objectives, violating consistency requirements.** 13

California Government Code § 65454 provides that "[n]o specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan." As of 2018, the Legislature's amendment of Government Code § 65700 applied this consistency requirement also to charter cities such as Fresno. *Kennedy Commission v. City of Huntington Beach*, 91 Cal.App.5th 436, 443, 308 Cal.Rptr.3d 461, 468 (2023), reh'g denied (June 7, 2023), review denied (July 19, 2023).

Apart from and in addition to the many errors in the PEIR's General Plan Consistency Analysis (see section 5.a., *supra*), the SEDA Plan is inconsistent in that it upends the 2014 General Plan's proposed growth trajectory, which calls for SEDA development to occur last, after Development Areas 1 and 2.[14] The General Plan explains that "[t]he pace of new development in the Development Areas needs to be balanced with the City's goals for achieving significant reinvestment within the 2012 City Limits."[15]

In its 2014 General Plan, unusually for Fresno, the City Council purposefully declined to expand the City's Sphere of Influence based on a reasoned analysis of the effects suburban sprawl had created and would create into the future if not curbed. The 2014 General Plan explicitly chose a different path:

13 CONT

> Continued growth outwards creates transportation and air quality issues, as well. The continued siting of major retail and commercial uses, as well as jobs, at Fresno's urban fringe is lengthening travel times and increasing traffic levels (and air pollution) disproportionately faster than the rate of population growth, due to inefficient location selection. Given the restrictions on and impacts of increasing Fresno's land area, the Plan promotes the highest and best use of land within Fresno's current city limits, phases growth into unincorporated areas of the SOI, and avoids de-investment in Downtown and established neighborhoods. Furthermore, certain patterns of land development can increase costs to the City in excess of related revenues and essentially reduce fiscal resources. The Plan seeks to discourage this type of development and, at the least, ensure that all development covers its fair share of public costs.[16]

The SEDA draft PEIR attempts to explain away its inconsistency with these goals and objectives, acknowledging that "SEDA was intended to be developed once other infill initiatives were given time to gain momentum," and that "there is still ample residential capacity within the current city limits and in Growth Area I (which includes the Southwest Fresno and the West Area Neighborhoods Specific Plan areas)." But then the PEIR goes on to argue that "there is a

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[14] 2014 General Plan, Figure I-3, Residential Capacity Allocation, which shows Development Areas ("DA"s) in order of priority; SEDA comprises DA-3 Southeast and DA-4 East, the City's fifth- and sixth-level development priorities. The West Area Neighborhoods Specific Plan Area is labeled DA-1 North, and is the first-level priority for new development.

[15] Id. at p. 3-19.

[16] 2014 General Plan, Ch.7, Resource Conservation & Resilience—§7.2 Use of Infrastructure & Resources, p.7-7

sense of urgency about the current housing crisis and the City's ability to provide housing for the existing population and its natural growth as well as the unanticipated in-migration occurring at this time."[17]

But the facts do not support a "sense of urgency"—population growth has plummeted, taking with it the demand for new housing, and the City is already on track to adopt the proposed West Area Neighborhoods Specific Plan sometime in summer 2025.[18] The West Area Plan is likely to result in housing units long before SEDA, since the West Area Plan will be implemented upon a platform of already-existing (if still incomplete) infrastructure, whereas SEDA will require construction of all significant urban-supporting public improvements.[19] The West Area Plan alone will accommodate over 50,000 new housing units; when added to the 43,512 units[20] on parcels zoned and appropriate for housing within existing City limits, the City will not need SEDA to meet its housing needs for many decades. 13 CONT

To allow SEDA to jump the line into first place is antithetical to how the City has planned its growth. Such reorganizing of development priorities is inconsistent with the General Plan, and creates significant adverse fiscal and environmental consequences for the City and its existing neighborhoods that the 2014 General Plan specifically intends to avoid by its new-growth priorities hierarchy.

**c. CLC and RCI incorporate comments submitted on behalf of County of Fresno.**

In support of their comment that the draft PEIR cannot be adopted under the 2014 General Plan, CLC and RCI hereby join, and incorporate by this reference, the portion of the September 4, 2023 comment letter on the 2023 draft SEDA PEIR, submitted by Jeffrey Reid on behalf of the County of Fresno, Department of Public Works and Planning, at pages 5 through 6 (Section C). 14

**6. The City cannot approve the SEDA Specific Plan until it has complied with the prerequisites imposed via LAFCO Resolution USOI-144.**

CLC and RCI join, and hereby incorporate by this reference, the portions of the September 4, 2023 comment letter on the 2023 draft SEDA PEIR submitted by Jeffrey Reid, on behalf of the County of Fresno, Department of Public Works and Planning, pages 1 through 3 (Section A), 15

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[17] SEDA Recirculated Draft PEIR, p. 2-1. The PEIR neither documents nor otherwise refers to "in-migration," anticipated or otherwise.

[18] The West Area Plan was released for public comment on March 12, 2025, and is expected to go to the City Council during the summer. https://www.fresno.gov/planning/plans-projects-under-review/#west-area-neighborhoods-specific-plan.

[19] One of the important reasons the 2014 Plan put SEDA area last in line as a site for new housing was precisely that the area lacks public infrastructure to support extensive residential and commercial development. 2014 General Plan, p. 1-19.

[20] Fresno Multi-Jurisdictional Housing Element, December 2024, Table 1E-3.23: Housing Capacity by Community Plan/Specific Plan Area, p.1E-3-145.

and pages 10-11 (Section H).

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**7. The SEDA Specific Plan violates California Planning and Zoning Law CEQA in that it omits components required by statute, and fails to meet standards for public involvement by failing to timely circulate for public comment an infrastructure plan and infrastructure financing plan.**

**a. Essential components are missing from the SEDA Plan documents.**

California Government Code § 65451 mandates that every specific plan include certain "Required contents." Subsection (a) of the statute requires that a specific plan "include a text and a diagram or diagrams which specify all of the following in detail …

"(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

…

"(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3)."

16

Neither the Specific Plan, nor the Recirculated Draft PEIR released for public comment on February 7, 2025 includes the text or diagrams specifying the "essential facilities proposed" for the Plan as required by § 65451(a)(2), nor the implementation and financing measures required by § 65451(a)(4).

**b. The City has failed to release timely for public comment the missing components of the SEDA Plan proposal.**

In adopting Title 7, Division 1, Chapter 3 of the Government Code, addressing Local Planning and Zoning, the California Legislature declared its intent "to provide an opportunity for each city and county to coordinate its local budget planning and local planning for federal and state program activities, such as community development, with the local land use planning process…" Cal. Gov't Code § 65300.9.

The SB2 Planning Grants Application included, at Schedule F, a Project Timeline and Budget, which called for release of the Public Review Draft of the Infrastructure Financing Plan and the Nexus Study at least three months in advance of City Council consideration of the Plan and associated documents. Nevertheless, and notwithstanding the explicit strictures of the statute, and promises made throughout the Specific Plan and its PEIR, the City has failed to release either an infrastructure plan disclosing the details required by § 65451(a)(2), or an infrastructure budget, nexus study, and financing plan, as required by § 65451(a)(4).

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Especially pertinent to the fiscal wisdom of City investment in SEDA infrastructure: the Consultant Service Agreement required a Qualitative Fiscal Review, but as of this writing, in the last few days of the public comment period for the Recirculated draft PEIR, no such review has been made public. Such a review should clarify "whether or not the existing targeted tax

sharing parameters will remain feasible with the development of the SEDA Specific Plan."[21]

Withholding from the public such critical information is inconsistent with provisions of both the Planning and Zoning Law, and of CEQA. See, e.g., Cal. Gov't Code § 65351,[22] Pub. Res. Code § 21000, et seq. ("If CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees. The EIR process protects not only the environment but also informed self-government." *Golden Door Properties, LLC v. Superior Court of San Diego County*, 53 Cal.App.5th 733, 763, 267 Cal.Rptr.3d 32, 55 (2020), as modified on denial of reh'g (Aug. 25, 2020) [citations omitted].) 17 CONT

**c. Failure to timely disclose documents related to SEDA infrastructure expenditures defeats CEQA's requirement that all environmental impacts be disclosed, considered, and mitigated where possible.**

**i. Environmental impacts of construction and operation of infrastructure are neither disclosed nor mitigated.**

Constructing utilities and other needed infrastructure for 9,000 acres' worth of residences, schools, businesses, parks, etc., will require grading, excavating, paving, and other soil-disturbing activities that beyond peradventure will generate air pollution and greenhouse gases, among other impacts. Operation of the infrastructure will entail still further impacts. The PEIR simply claims that project-level construction mitigation measures will be adequate to mitigate all impacts. However, given that the PEIR fails to mitigate air quality impacts for non-infrastructure activities, the additional impacts infrastructure construction will have on air quality must be analyzed in terms of the extent to which they will cumulatively contribute to air pollution. Operational impacts must also be evaluated. 18

**ii. The PEIR Project Description fails to include information now known about infrastructure needs, or to calculate the environmental effects of those parts of the project.**

The PEIR Project Description represents that at the time of circulation the City had already done infrastructure analyses, referencing a "Public Facilities Financing Plan" (p.2-3), and an Infrastructure Plan with "more closely specified" details about types of infrastructure to be constructed in the Specific Plan area.[23] But the Recirculated PEIR includes none of the descriptive information required by Government Code § 65451(a)(2), nor analysis either of the 19

[21] Consultant Service Agreement between City of Fresno (City) and FirstCarbon Solutions (Consultant), Southeast Development Area Specific Plan, executed November 4, 2020, Exhibit A, Attachment A: Scope of Services, Task 1.2.

[22] Addressing public involvement in proceedings related to a general plan, and made applicable to Specific Plan preparation, adoption, and amendment by Government Code § 65453(a).

[23] See, p.2-8, roads; p.2-17, "sustainable infrastructure," not otherwise specified; p.2-18, "holistically coordinated infrastructure," not otherwise specified.

construction or the operational impacts of supplying that infrastructure, violating CEQA's express purpose that agencies "give 'major consideration' to preventing damage to the environment when conducting their regulatory functions. (Pub.Resources Code, § 21000(g).)" See, *Santiago County Water Dist. v. County of Orange*, 118 Cal.App.3d 818, 829-831, 173 Cal.Rptr. 602, 607-609 (1981) [failure to account for impacts related to project water delivery facilities]. See also, *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus,* 27 Cal.App.4th 713, 730, 32 Cal.Rptr.2d 704 (1994), as modified (Sept. 12, 1994) [omission of reference to wastewater treatment plant recognized as necessary to the project resulted in an improperly "curtailed" and "distorted" project description.]

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**iii. The draft PEIR neither discloses nor mitigates environmental impacts of directing billions of dollars into SEDA infrastructure, forcing scarce city resources away from existing neighborhoods.**

Although one of the claimed Project Objectives of the SEDA Plan is "fiscal responsibility," including "self-financing for the development and ongoing maintenance of the SEDA that does not reduce City of Fresno resources dedicated to other areas of the City or burden Fresno residents outside of the SEDA,"[24] the Plan provides no evidence of such a "self-financing" approach to infrastructure. On the contrary, the Plan repeatedly promises that when infrastructure capacity falls short, the City will step in and pay.[25] The as-yet-undisclosed documentation of infrastructure needs and funding mechanisms must either substantiate the fiscal responsibility of the Plan, or not. As of this moment, the public has no idea because there is no evidence in the record for the City's claim that development and ongoing maintenance will be "self-financing."

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Unless there is proof of the "self-financing" claim, SEDA commits the City to massively expensive infrastructure that is not needed to accommodate Fresno's housing needs, and that directly conflicts with the General Plan by privileging new growth over strengthening established neighborhoods. In addition, it foreseeably, substantially, contributes to physical blight and decay, with resulting economic decline, in all non-SEDA areas of the City.[26]

As in *Bakersfield Citizens for Local Control v. City of Bakersfield*, 124 Cal.App.4th 1184, 1208, 22 Cal.Rptr.3d 203, 222 (2004), the SEDA PEIR has failed to comply with the information disclosure provisions of CEQA because it has omitted any meaningful consideration of the question whether the diversion of funding for infrastructure improvements could trigger a series of events that ultimately cause urban decay. Nor does the PEIR even contain a statement indicating that such a possibility had been considered, or reasons why it had been determined

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[24] SEDA Recirculated Draft EIR, passim, including pp. ES-2, 2-18.

[25] For example, mitigation measures HYD-2b and HYD-2c require the City to "secure additional water supplies by securing additional water sources" where a proposed SEDA development would exceed existing water supply capacity.

[26] See, Fresno Urban Decay Analysis, ECONorthwest, 2023 (copy attached); see also, Patterns of Sprawl in Fresno and the Central San Joaquin Valley, 2024, p.8 (copy attached).

that urban decay was not a significant effect of the proposed project. 20 CONT

**d. CLC and RCI incorporate comments submitted on behalf of County of Fresno**

In support of their comment that the draft PEIR fails to include adequate planning details (including regarding public infrastructure) to permit a sufficient degree of analysis and public information regarding the environmental consequences of such a large greenfield development, CLC and RCI hereby join, and incorporate by this reference, the portions of the September 4, 2023 comment letter on the 2023 draft SEDA PEIR, submitted by Jeffrey on behalf of the County of Fresno, Department of Public Works and Planning, at pages 3 through 5 (Section B), and page 7 (Section D). 21

**e. City must extend the public comment period on the SEDA Plan for 45 days after the infrastructure plan, infrastructure budget, nexus study, and financing plan have been released for review.**

Failure to timely release the infrastructure-related studies and analyses for public comment deprives the public of a meaningful opportunity to comment upon substantial adverse environmental impacts of the proposed project or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement. CEQA Guidelines, § 15203, requires the lead agency to "provide adequate time for other public agencies and members of the public to review and comment on a draft EIR or negative declaration that it has prepared." 22

It may be that the disclosure of the infrastructure documents constitutes significant new information within the meaning of Pub. Res. Code § 21092.1 or CEQA Guidelines § 15088.5(a) that requires recirculation of the PEIR. Even if not, the infrastructure information is crucial to evaluation of SEDA's environmental impacts. Therefore, the infrastructure documents are also subject to the 45-day public review period required by CEQA Guidelines, § 15105(a).

**8. The SEDA Recirculated draft PEIR's Existing Conditions description is fatally inaccurate.**

In its Introduction chapter, the SEDA draft PEIR includes a current city population figure, but no population projections. (p. 2-3 – 2.21) Projected population growth data appears, instead, in an "Existing Conditions" segment of the Population and Housing chapter. There, the PEIR describes historical population increases in the City and the County, using 2022 Census Bureau Quick Facts figures. (SEDA PEIR, pp. 3.14-1 – 2, fn. 1, 2.) It relies on California Department of Finance for Fresno's average household size. (*Id.*, p.3.14-2, fn. 3.)

However, on the crucial question of projected population growth, the Recirculated PEIR continues to rely on Fresno Council of Governments' (FCOG) 2021 Fresno County growth projections to 2050, apparently last accessed May 20, 2022. (p.3.14-2, fn. 5.) The City's use of the FCOG figures in 2022 may have been the best information available at the time; there is no way to know, as the PEIR does not explain its choice of data sources. 23

But the PEIR has now been recirculated twice since the July 2023 release of the first version of the draft, once in October of 2023, and again in February of 2025 (current version). Well prior to the October 3, 2023 partial recirculation of the draft PEIR, the City was aware that the SEDA

EIR's population assumptions were materially inaccurate.[27] As of August 2023, the California Department of Finance (DOF) had issued updated data very different from that cited in the July 2023 draft EIR.[28] However, the October 2023 Partial Recirculated draft PEIR did not incorporate any corrections to its population projections.

In August of 2024, the Fifth District's *South Fresno Community Alliance* decision invalidated the City's General Plan update and Greenhouse Gas plan, requiring the current recirculation of the SEDA PEIR. By September of 2024, DOF had again updated its data to incorporate a finer-grained analysis, and as of October of 2024, FCOG had corrected its own data based on the new information issued by the state.

In December of 2024, the City paid First Carbon Solutions an additional $153,636 to author a second Recirculated draft PEIR; at that point, the accurate DOF and FCOG population data were readily available. In fact, when one now follows the link provided in the Recirculated PEIR at footnote 5 on page 3.14-2, one finds FCOG's October 2024 updated data, which show a Fresno population in 2025 of 595,370 (not the PEIR's 621,540[29]). FCOG's updated data report a 2050 Fresno City population of 646,260 (not the PEIR's 728,200). The accurate, FCOG, data show a Fresno City increase of 50,890 people between 2025 and 2050, not the almost 107,000 predicted in the PEIR. The accurate, FCOG, data yield only an additional 16,963 households by 2050, well under half of the 35,553 households the PEIR's figures would project.[30]

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These errors in growth projections are fundamental: According to SEDA, its plans for 45,000 new housing units would comprise planned growth of only 31% percent of the total planned capacity for the City.[31] However, using accurate, FCOG, growth figures, it is clear that SEDA development would amount to almost *three times* (265%) the actual housing needs for all of Fresno City by 2050. Such a glut of new homes on the market, and the public investment necessary to launch it, would shatter the General Plan's goals for infill development and revitalization of Fresno City existing neighborhoods.

In its Reasons for Recirculation, the SEDA document describes *South Fresno Community Alliance*'s invalidation of prior planning documents as constituting "substantial changes to the environmental setting," and therefore "significant new information" requiring recirculation (p. ES-9); but the PEIR does not include corrected data nor otherwise respond to commenters'

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[27] CLC and RCI hereby incorporate by this reference the comment letter submitted by Keith Bergthold, dated August 28, 2023, and those portions of the August 28, 2023, comment letter submitted by Patience Milrod on behalf of CLC, IAF, and RCI, at pages 3 through 5. (copies attached)

[28] Please see Keith Bergthold August 28, 2023, comment letter.

[29] SEDA PEIR, at p. 3.14-2.

[30] At 3 persons per household, the SEDA PEIR Fresno City population growth figures would yield 35,553 new households.

[31] PEIR, p. 3.14-13 – Section 3.14.4 - Project Impacts and Mitigation Measures.

critique of population projections.[32] Nor does the Recirculated draft PEIR explain why it relies on outdated and inaccurate data, except to say (using circular reasoning) that "This approach is consistent with requirements to maintain consistency with the General Plan." (p. 3.14-2.) This statement can only be read as an acknowledgement that the draft PEIR incorporates erroneous data into its environmental impact analyses—not only affecting calculations of housing demand, but also other impacts such as water quality, air quality, transportation, greenhouse gases, and infrastructure design, sequencing, and cost.

23 CONT

A knowing use of false data is antithetical to CEQA's purpose of accurately informing decision makers and the public, especially when the plan in question creates such extensive unmitigated impacts on the environment as this one.

**9. The SEDA draft PEIR fails to address Fresno's documented housing needs, proposing instead a more than doubling of the oversupply of single-family detached units.**

The Plan itself does not commit to any particular number of homes at any particular price point; nor does it require as a mitigation measure that developers build so as to ensure any proportion of affordable-to-market-rate homes. But based on the SEDA proposed zoning map[33], and on the City's application for the SEDA planning grant[34], the SEDA Plan anticipates at most 9,000 potentially affordable multifamily units[35] and 35,200 single-family units.

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

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

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[32] In the 2025 West Area Neighborhoods Specific Plan draft EIR, the City acknowledged the new population reality of 0.2% growth, a small fraction of the growth assumed in the SEDA PEIR. See, Recirculated Draft EIR – West Area Neighborhoods Specific Plan, p. 3.12-1, Table 3.12.1—Environmental Setting—Demographics—Population Trends.

[33] Southeast Development Area Specific Plan, Map 2.5—SEDA Proposed Land Use, p. 22.

[34] Fresno City SB 2 Planning Grants Application, Section E, Project Description, p. 6.

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

single-family market rate homes will meet.

The City's own quantified assessment of Fresno's housing needs[36] over most of the next decade shows more than adequate inventory for that new housing; not a single parcel from SEDA is needed to meet those goals.[37]

The SEDA Specific Plan's claim that "the acceleration of the current housing crisis has created a 'substantial shortage' of homes and therefore prioritized completion of the SEDA Plan"[38] is demonstrably untrue. This claim cannot therefore be the basis for legitimate, evidence-based findings of overriding consideration.

24 CONT

**10. The SEDA draft PEIR fails to analyze or to mitigate foreseeable and avoidable impacts on farmland.**

CLC and RCI hereby join, and incorporate by this reference, the portions of the September 4, 2023, comment letter on the 2023 draft SEDA PEIR, submitted by Jeffrey Reid on behalf of the County of Fresno, Department of Public Works and Planning, found at pages 7 through 10 (Sections E, F, and G).

CLC and RCI hereby join, and incorporate by this reference, the portion of the March 24, 2025, comment letter submitted by Douglas Carstens and Michelle Black on behalf of the Sierra Club, Central Valley Partnership, and League of Women Voters entitled "Agricultural Resources and Forestry Resources Impacts are Not Sufficiently Mitigated."

25

**11. Traffic impacts**

**a. The Recirculated SEDA draft PEIR materially underestimates VMT by significantly overestimating trip capture within SEDA.**

**i. At the time of recirculation, the City was aware of the PEIR's failure to accurately estimate VMT.**

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In support of their comment that the draft PEIR fails to accurately estimate VMT, CLC and RCI hereby incorporate by this reference the following comment letters submitted on the 2023 draft

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

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

[38] Draft SEDA Specific Plan, p. 9.

SEDA PEIR:

- California Department of Transportation, David Padilla, submitted August 25, 2023.
- California Department of Transportation, David Padilla, submitted November 17, 2023.
- Victoria Transport Policy Institute, Todd Litman, submitted August 21, 2023.
- Sunnyside Property Owners Association, Sue Williams, submitted August 25, 2023.
- County of Fresno, Department of Public Works and Planning, Jeffrey Reid, submitted November 7, 2023.
- CLC, IAF, and RCI, Patience Milrod, submitted August 28, 2023.
- CLC, IAF, and RCI, Patience Milrod, submitted November 6, 2023.

**ii. VMT figures must be recalculated.**

Notwithstanding multiple comments submitted after the release of each of the two 2023 PEIR drafts, the Recirculated draft PEIR has failed to correct the counterfactual assumptions it makes about internal trip capture within SEDA, fails to provide VMT per service population data for years prior to 2035, and continues simply to assert that VMT per service population will drop from 45.72 to 5.07 without addressing or explaining omission of interim-years data. Moreover, it incorrectly identifies a 2035 buildout horizon—though such a timeline conflicts with the General Plan estimate of only new 14,900 units in SEDA by that date, is not physically feasible, and inaccurately reflects the Specific Plan's buildout timeframe.[39] 26 CONT

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

As Victoria Transport Policy Institute points out, "the Plan's current analysis significantly underestimates vehicle traffic congestion, crash, emission and resulting air quality impacts. Until more accurate travel modeling can be completed, and air quality impacts adjusted, this PEIR fails to predict the project's significant social and environmental impacts and so fails to provide the information that policy makers, practitioners and the general public need to make informed decisions." (August 25, 2023 comment letter, p.2.)

CalTrans' letter notes that SEDA will create a VMT impact because it cannot accurately claim trip capture for decades after the project begins to be built out, as residential uses (which produce trips) are followed, "slowly over time," by commercial uses (trip attractors). CalTrans

[39] See, e.g., Recirculated SEDA draft PEIR at p. ES-1, anticipating "approximately 45,000 homes and 37,000 jobs within the nearly 9,000-acre planning area by the year 2050."

quantifies the net VMT increase from No Project Conditions as 162% and contradicts the PEIR's claimed VMT per service population claim.

CEQA Guidelines, § 15064.3(b)(4) allows a lead agency to choose a methodology by which to evaluate vehicle miles traveled but requires that "[a]ny assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project." The PEIR's choice of a 2035 horizon is unreasonable. In addition, the PEIR does not inform the reader how it calculates VMT either for the years between the project's initiation and its 2035 horizon, nor provide any data out through the (more realistic) 2050 actual buildout period. The PEIR's analysis is subject to Guidelines § 15151's standard of adequacy: "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." The missing calculations are reasonably feasible but have not been incorporated into the PEIR and their omission is unexplained. 26 CONT

**b. Traffic mitigation measures must be updated based on corrected data and analysis.**

The 2025 PEIR does acknowledge, as the 2023 draft did not, that the Specific Plan "could conflict" with a program or policy related to transportation. (p. 3.17-31.) It claims the Specific Plan "is a comprehensive planning document" that "addresses wide-ranging infrastructure and community challenges" related to future growth. But, while noting that "[p]lanning at this scale allows design and phasing of infrastructure improvements that are more efficient, environmentally sensitive, and cost-effective," the Plan in fact incorporates no such design or phasing information.

Notwithstanding the almost one million daily trips the project will generate,[40] and commenters' requests for quantifiable and enforceable mitigation measures, the Recirculated draft PEIR identifies exactly the same mitigation measures as the original draft PEIR. There is no evidence of effort to plan comprehensively, or at scale, to design and phase infrastructure so as to mitigate environmental impacts from VMTs. Instead, all mitigation measures defer mitigation to the implementing project level, except possibly MM TRANS-1d (bus service). The cumulative impacts analysis is likewise deferred to project-level approvals. (SEDA draft PEIR, pp.3.17-44 – 45.) 27

In its Executive Summary Matrix, the draft PEIR claims that the SEDA Specific Plan "would not conflict or be inconsistent with CEQA Guidelines, § 15064.3(b)" (Table ES-1, p.ES-51), and lists that Guideline's criteria for assessing significance of transportation impacts at p.3.17-34. However, the PEIR fails to provide sufficient accurate information to establish whether, or how, the rebuttable presumption of no significant transportation impacts would legitimately apply to the SEDA Specific Plan: The Plan imposes no enforceable mitigation measures as conditions of project-level approvals to ensure siting within 0.5 miles of transit; and, the claim that SEDA planning would reduce VMT below existing conditions is unsustainable on the evidence in the

[40] Plan Area VMT with the project build out in 2035 is expected to be 974,369. SEDA Recirculated draft PEIR, p.3.17-32

draft PEIR.

What the draft PEIR does not give us is a reasoned explanation of why it has not adopted, at the Plan level, the many recommended mitigation measures that could make accurate the Plan's claim to comprehensive planning. These include the mitigation measures suggested in CalTrans' August 2023 letter, the Emission Reduction Clean Air Measures recommended by the San Joaquin Valley Air Pollution Control District (copy attached), and the City's own 2020 VMT threshold guidelines document, which points out that "regional VMT mitigation is considered the most effective method for large-scale VMT reduction," and provides multiple mitigation options for community and general plans.[41] As required by Section 15126.4 of the State CEQA Guidelines, "Where several measures are available to mitigate an impact, *each should be discussed* and the basis for selecting a particular measure should be identified. *Formulation of mitigation measures shall not be deferred until some future time*." [emphasis added]. This draft PEIR fails to fulfill this function. 27 CONT

**12. The SEDA Recirculated draft PEIR fails to adequately analyze or mitigate greenhouse gas emissions from the SEDA project**

CLC and RCI hereby join, and incorporate by this reference the portions of the March 24, 2025 comment letter submitted by Douglas Carstens and Michelle Black on behalf of the Sierra Club, Central Valley Partnership, and League of Women Voters that relate to the PEIR's assessment, analysis, disclosure, and mitigation of greenhouse gas emissions due to SEDA projects' construction and operation activities. 28

**13. The SEDA Recirculated draft PEIR fails to adequately identify, quantify, or mitigate air quality impacts.**

**a. The draft PEIR must include ozone calculations.**

The draft PEIR's Air Pollution Description and Health Effects discussion lists criterion pollutants, generally describes their adverse effects on human health, and identifies the regulatory programs intended to curb air pollution, including the ozone reduction/prevention plans for the San Joaquin Valley Air Basin nonattainment area. However, there is no discussion of the human health impacts of the additional pollution load this project contributes to Fresno's already-dirty air. 29

The PEIR does not calculate the anticipated parts per million (ppm) of ozone resulting from SEDA construction and operations; although NOx and ROG are estimated, the reader has no idea how much ozone will be produced (i.e., whether the amount of ozone resulting from the ROG and NOx pollution will bring the ozone ppm within the 0.10 to 0.40 range). Given that the measures for both the precursor pollutants exceed their respective thresholds of significance,

[41] CEQA Guidelines for Vehicle Miles Traveled Thresholds (Fresno CEQA VMT Guide), adopted June 25, 2020, City of Fresno, p.40; for mitigation measures, see, Appendix C, Vehicle Miles Traveled Mitigation Measures for Community Plans and General Plans.

this omission renders the draft PEIR's air quality analysis inadequate. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 520.

The ozone discussion must, of course do more than calculate the $NO_x$ + ROG figure but must also factor in the rising temperatures being experienced and expected to increase over the project implementation period. See SJVAPCD Redesignation Request, Appendix B: Analysis of Meteorology Affecting Ozone Levels, p. B-8:

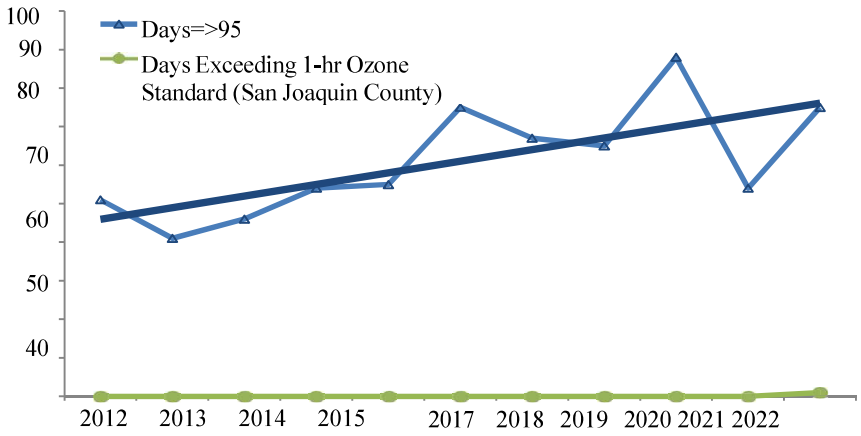



**Figure B-7 Number of Days per Year with High Temperatures ≥ 95°F at Stockton Airport (May-October) and Days Exceeding the 1-hour Ozone NAAQS (2012-2022)**

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

29 CONT

**b. The draft PEIR must include a human health impact analysis**

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

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

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

SJVAPCD describes ozone impacts in its Community Emission Reduction Program

approved for SEDA-adjacent South Central Fresno[42]: "Breathing ozone can trigger a variety of health problems, including chest pain, coughing, throat irritation, and congestion. It can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. Children are at a greater risk of experiencing negative health impacts because their lungs are still developing and they are more likely to be active outdoors when ozone levels are high, thus increasing their exposure. Studies have linked rising hospital admissions and emergency room visits to higher ozone levels." Appendix G: Health Impacts of Air Pollution, p. G-17.

Fresno State University's Central Valley Health Policy Institute studied emergency room and hospital admissions in Fresno, Bakersfield, and Modesto on a daily basis for selected conditions, such as asthma and acute myocardial infarction (MI), that had been previously linked to air pollution in other studies. They determined that ozone was strongly linked to increased risk for asthma ER visits in children during the hottest summer months. Moreover, asthma ER admissions are also strongly linked to increasing $PM_{2.5}$ across the Valley, with a higher risk in children. Further, risk for asthma hospitalizations increased dramatically with $PM_{2.5}$ in children and adults across the region. A moderate increase in risk of acute MI (heart attack) was also linked to $PM_{2.5}$ levels regionally, as were pneumonia ER visits in children and acute bronchitis ER visits in adults.[43]

Dr. Emanuel Alcalá advised in his September 6, 2023, comment letter (copy attached and incorporated by this reference) that "incremental increases in ozone levels alone—independent of the other pollutants the project will create—will have the following human health impacts: decreased lung function, decreased lung function growth in children, increased asthma-related emergency visits and hospital admissions, and mortality among older adults."

30 CONT

The PEIR is inadequate because, as in *Bakersfield Citizens*, "After reading the EIR[], the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin." (*Bakersfield Citizens, supra,* at p. 1220.) The PEIR does not explain why it includes no quantified health impact projections "to inform the public how its bare numbers translate to create potential adverse impacts," nor to "explain what the agency *does* know and why, given existing scientific constraints, it cannot translate potential health impacts further." (*Friant Ranch, supra*, 6 Cal.5th at p. 521 [emphasis in original].) The PEIR offers no "explanation why it was not feasible to provide an analysis that connected the air quality effects to human health consequences." *Id.*, 6 Cal.5th at p. 522.

In fact, such analysis is feasible, and should have been conducted here. In 2020, after the *Friant Ranch* decision, the Sacramento Metropolitan Air Quality Management District adopted

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[42] http://community.valleyair.org/selected-communities/south-central-fresno, incorporated by this reference.

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

*Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sacramento Metro Air District* (copy attached), which sets out procedures for conducting a health effects analysis that would meet the Supreme Court's standard for disclosure of adverse health effects resulting from a CEQA project. The procedures rely on the Benefits Mapping and Analysis Program (BenMAP), a U.S. Environmental Protection Agency (USEPA) tool that estimates health impacts from ozone and $PM_{2.5}$. At Section 6 and Appendix A. the Guidance provides technical procedures and details; at Appendix G it correlates emissions levels and pollutants with "health endpoints"[44] by geographic region and age range for strategic area projects.

30 CONT

As Dr. Alcalá pointed out to the City in September of 2023, "the tools with which to conduct [a human health effects analysis] are readily available. For example, the Environmental Benefits Mapping and Analysis Program – Community Edition (BenMAP-CE) – not only estimates health impacts but also estimates economic values associated with health morbidity events." BenMAP, or some similar program, should and could have been used here to provide the information the public and decisionmakers need—including an assessment of ozone impacts on human health.

**c. The PEIR is inconsistent with air quality attainment status, and conflicts with and obstructs implementation of the applicable air quality plan.**

While the draft PEIR acknowledges as "a significant and unavoidable impact" that implementation of SEDA will conflict with and obstruct applicable air quality plans, it does not specify which plans, nor does it quantify the degree to which SEDA will obstruct their implementation. (See, p.3.3-42 – 43.)

A review however of the draft PEIR's Appendix B can garner some idea of how SEDA air quality impacts will harm efforts to ensure healthy air in the Fresno Region. One example is comparing the PEIR's air quality impacts analysis with the San Joaquin Valley Air Pollution Control District's "Proposed 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard" (SJVAPCD Redesignation Request) adopted by the Air District Board on June 15, 2023.[45] The purpose of that document is to persuade the federal Environmental Protection Agency to terminate anti-backsliding provisions for the revoked 1-hour ozone standard, including Section 185 nonattainment fees. Toward that end, the document includes both proofs of compliance and a maintenance plan. It clearly does not factor in the ozone contributions SEDA would make to the Valley's pollution load.

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Specifically, SJVAPCD's Redesignation Request, Appendix A: Emissions Inventory (pp. A-1 through A-4), projects annual anticipated pollution levels for $NO_x$ through 2036. A layperson—including a member of the public, the Planning Commission, or the City Council—gets a

[44] These include: hospital admissions, all respiratory; mortality, non-accidental; emergency room visits, asthma; hospital admissions, asthma; mortality, all cause; hospital admissions, all cardiovascular (less myocardial infarctions); acute myocardial infarction, nonfatal.

[45] See, SJVAPCD 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard —see https://ww2.valleyair.org/rules-and-planning/air-quality-plans/ozone-plans/.

graphic idea of SEDA's impact just by comparing the Air District's *all-Valley* numbers in identified years to the numbers *this project alone* will generate.

**$NO_x$ —summer average in tons/day[46]**

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

This chart illustrates SEDA's huge and negative effect on Valley air quality: by 2036, SEDA alone is projected to produce double the amount of $NO_x$ being produced *across the entire rest of the San Joaquin Valley*. The document provides changes in VOC over time and does not sum up ROG separately; it will therefore be important for an adequate SEDA ozone analysis to determine, and to include as a point of comparison, how SEDA ROG emissions will compare to regionwide ROG production during the identified years, in order to report accurately the extent to which SEDA will impede achievement of regionwide air quality improvement goals. 31 CONT

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

**d. Plan level and project level mitigation measures are inadequate, amounting to piecemealing of SEDA's regional air quality impacts.**

The draft PEIR fails to propose plan-level mitigation measures that will have <u>any</u> mitigating effect on air quality impacts, although many tools and other resources are available for this purpose. The PEIR takes the position that plan-scale mitigations are infeasible, but this is inaccurate: the City's own 2020 VMT threshold guidelines document provides multiple mitigation options for community and general plans.[47] It is objectively unreasonable, and an invitation to piecemealing that will defeat the whole purpose of a mitigation program, to 32

[46] See, SJVAPCD *Adopted 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard*, Appendix A: Emissions Inventory, p. A-4. Copy attached; available at https://www.valleyair.org/Workshops/postings/2023/06-15-23/maintenance-plan.pdf; last accessed March 24, 2025.

[47] See, e.g., Fresno CEQA VMT Guide, and SJVAPCD Emission Reduction Clean Air Measures—among many others.

suggest that it is impossible to impose plan-scale mitigation measures as enforceable conditions of development in SEDA.

The draft PEIR falsely claims that it has adequately canvassed and incorporated available air quality mitigation measures, but that "due to the magnitude of emissions generated by the residential, office, and commercial land uses proposed as part of the proposed project, no mitigation measures are available that would reduce cumulative impacts below the Valley Air District's thresholds." That the PEIR cannot find measures to reduce (for example) 2026 $NO_x$ emissions from 180 tons per year to 10 does not mean there are *no* possible mitigations that would reduce $NO_x$ emissions to (for example) 50: "Mitigation measures need not include precise quantitative performance standards, but they must be at least partially effective, even if they cannot mitigate significant impacts to less than significant levels." *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404; §§ 21051, 21100; Guidelines, § 15370. It is not an option in 2025 to effectively abandon the effort, when air pollution from this project would so massively exceed the entire total $NO_x$ output for the rest of the San Joaquin Valley, creating avoidable illness and death, and dooming City efforts to reduce climate change impacts.

Such specific mitigation measures as the plan does include are to be implemented at the project level; only AIR-1a imposes use of low-VOC paints ("super-compliant architectural coatings") as a condition of approval. The others (AIR-1b through AIR-4) do not impose mitigation obligations unless preconditions are met. For AIR-1b and -1c (respectively, construction- and operation-related air impacts), there is no need for air quality mitigation measures unless the *project* impacts exceed the Air District threshold of significance. By definition, project-level emissions will have (relative to the SEDA Plan as a whole) minimal potential impact on the environment.

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CONT

For AIR-1d, mitigation for emission of Toxic Air Contaminants (TAC) or Diesel Particulate Matter (DPM) pollutants is only required at the project level, and only if *both* of two conditions are met: 1) if such emissions will occur within 1000 feet of a sensitive receptor; *and* 2) if a Health Risk Assessment shows incremental health risks for those sensitive receptors exceed Air District levels. Thus, a development project within SEDA could freely emit unmitigated TAC and/or DPM so long as it is not sited near a sensitive receptor. This is a perverse outcome, defeating the purpose of SEDA, increasing in an unmeasured and unmitigated manner the toxic contaminants to which the general public will be exposed, and putting even non-sensitive receptors at unnecessary risk.[48]

Not surprisingly, though the PEIR acknowledges significant cumulative air quality impacts, the

[48] It is also contrary to best practices, according to the Air District. SJVAPCD comments on a Fresno community plan did *not* recommend limiting mitigation to uses near sensitive receptors, but rather prescribed one of two types of health impact analysis for *every* development project within the plan area. See, comments on Recirculated Notice of Preparation of an Environmental Impact Report for Revisions to the Fresno South Central Specific Plan, May 14, 2021, p. 6, available at https://community.valleyair.org/media/1ywkdo1a/district-comments-20210313-nop-fresno-south-central-specific-plan-5-14-21.pdf

project-by-project approach to the issue would allow many projects to avoid air quality mitigation entirely, thus precluding effective mitigation of cumulative impacts. Thus, the Specific Plan's cumulative air quality impacts remain, according to the PEIR, "significant and unavoidable."

Piecemealing a project such as SEDA to avoid imposing mitigation is no more defensible than piecemealing to avoid environmental review. As the Fifth District pointed out in *Los Angeles Dep't of Water & Power v. Cnty. of Inyo*, 67 Cal. App. 5th 1018, 1035, 283 Cal.Rptr. 3d 119, 130 (2021), "CEQA contemplates consideration of environmental consequences at the earliest possible stage, even though more detailed environmental review may be necessary later. [Citation.] Consistent with this view, CEQA's requirements cannot be avoided by chopping a large project with significant adverse consequences into many little ones—each with a minimal potential impact on the environment. [Citation.] Piecemeal review is contrary to CEQA's requirements." The PEIR fails to demonstrate an honest effort to accurately calculate and to reduce VMTs, or an honest effort to apply any of the many available technologies, mechanisms, and strategies to mitigate air quality impacts. It fails as the informational document CEQA requires.

32 CONT

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

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

**14. The PEIR is inconsistent with the Housing Element of the City's General Plan.**

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

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The Housing Element therefore proposes to fill a perennial critical gap in the City's capacity to provide and upgrade housing in legacy neighborhoods: "As part of the implementation of the

Housing Element, programs are identified to upgrade the city's infrastructure as needed in low- and moderate-income neighborhoods with the greatest needs. *Priority for infrastructure projects will be given to serving established neighborhoods*, including generally south of Herndon Avenue as shown in Figure 1E-3.41: Priority Areas for Development Incentives, along BRT and enhanced transit corridors, and in the Downtown Planning Area, consistent with General Plan policies." Housing Element, p.1E-3-119 [emphasis added].

A City decision to invest billions of dollars in SEDA infrastructure is inconsistent with the Housing Element's commitment to correct the City's history of neglecting older neighborhoods. In the zero-sum game of municipal finance, and especially in the absence of a SEDA infrastructure financing plan, there is no way to ensure adequate resources to fund "Priority Investments in Established Neighborhoods" as already identified in the General Plan.[49] 33 CONT

Again, consistently with the General Plan, the 6th Cycle Housing Element inventory does not identify parcels in SEDA as necessary to meet Regional Housing Needs between now and 2031. See, Figure 1E-2.7 at p. *1E-2-67*. Instead, the Housing Element identifies SEDA as Development Area 3, as does the General Plan—the last in priority for development on the fringe areas. See, Housing Element, Figure 1E-3.42, which shows Growth Area 2 to include SEDA, labeled "DA-3" for Development Area 3. "Growth Area 2 has significantly less access to completed infrastructure. Any development in these areas would require all infrastructure costs to be borne by the new development." 1E-3-121.

**15. The SEDA draft PEIR fails to adequately analyze or mitigate project water impacts.**

**a. Water impacts are badly underestimated.**

It appears the City has not factored drought conditions or climate change projections into its water supply sustainability calculations. Figure ES-2, Projected Water Supplies[50], shows an increase of almost 21,000 AFY in available groundwater between 2025 and 2045, plus another 6,500 AFY increase in surface water over the same period.

However, the draft PEIR recognizes that across California, climate change will effect a "reduction in the quality and supply of water from the Sierra snowpack,"[51] a source on which the City of Fresno is heavily reliant for both surface water and groundwater recharge. The Draft PEIR reports that by 2050, such impacts in the Fresno area will reduce the average water supply from snowpack to two-thirds historical levels, and "If emissions reductions do not occur, water from snowpack could fall to less than one-third of historical levels by 2100."[52] 34

Not only are these concerns not discussed in the Plan or the draft PEIR, but they are explicitly

[49] See summary in December 2024 draft Housing Element, p. 1E-3-119.

[50] Draft PEIR, Appx. F, p. ES-7.

[51] Draft PEIR, p. 3.8-9 (warmer temperatures could reduce the Sierra Nevada spring snowpack "by as much as 70 to 90 percent.")

[52] *Id.*, p. 3.8-10.

minimized in the discussion of hydrology and water quality. There, the PEIR proposes a cheerful water outlook, repeating in multiple places the phrases "during normal water years" and "assuming groundwater characteristics are not altered due to climatic events or regulatory influences from SGMA."[53] These are objectively unreasonable assumptions, but there is no discussion of a fallback position in the (likely) event the PEIR's sunny projections are inaccurate.

34 CONT

**b. Mitigations for hydrology impacts are inadequate; City taxpayers will bear the cost.**

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

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

35

To achieve plan-level efficiencies and effectiveness, the City must disclose, and the draft PEIR must discuss, the "EIR-related water infrastructure planning tasks."[54] An intention to develop this vital information after SEDA approvals would violate CEQA.

**c. CLC and RCI incorporate comments submitted on behalf of County of Fresno.**

In support of their comment that mitigations of water supply impacts are inadequate, CLC and RCI hereby join, and incorporate by this reference, the portions of the September 4, 2023, comment letter (copy attached) submitted by Jeffrey Reid on behalf of the County of Fresno, Department of Public Works and Planning, pages 11 through 12 (Section I).

36

**16. The PEIR piecemeals assessments of environmental impacts, and mitigations.**

The City's 2020 application to HCD for the SEDA planning grant committed to project streamlining as one of the SEDA plan's deliverables by incorporating "environmental analyses that eliminate the need for project-specific review."[55] This would have been a good idea, in light of the City's claim that it needs SEDA in order to expedite thousands of urgently needed new homes.

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If the City *had* conducted the environmental analyses it promised to do, it would also have been able to keep another of the promises it made to HCD: a Program EIR under which "future development will also utilize an expanded exemption under Government Code Section 65457

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[53] *Id.*, p. 3.10-8.

[54] SEDA Specific Plan, pp. 100-109, *passim*.

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

that will apply to certain residential, commercial, and mixed-use projects that are consistent with a specific plan adopted pursuant to Government Code, Article 8, Chapter 3 and would be exempt from CEQA."[56]

The Plan pays lip service to streamlining, promising "Fiscal Responsibility" by "holistically coordinat[ing] infrastructure to integrate efficiencies that piecemeal planning cannot," and otherwise coordinating systems and networks for efficiency and economy.[57]

But the Plan and the draft PEIR fail to provide either plan-scale impact analysis or plan-scale mitigation measures; the draft PEIR itself repeatedly prescribes both environmental assessment and imposition of mitigation measures only during the City's approval process for subsequent discretionary projects within the SEDA footprint—for air quality impacts (see section 13.d, *supra*), transportation impacts, water supply impacts, etc. That is, if SEDA is approved as proposed, the City will need to subject every new project to environmental review in order to determine if its impacts are potentially significant, and what mitigation measures should be imposed—exactly the process streamlining is intended to avoid.

Statements by City officials have made this intention clear, most explicitly from City spokesman Brandon Johansen, whose email to a reporter admitted "As individual projects are filed within the Southeast Development Area, they will be evaluated under CEQA to determine project impacts and mitigation measures."[58] Such an approach makes streamlining impossible (unless the idea is to use the PEIR to evade environmental review and mitigation for follow-on projects, which has been known to happen in Fresno). Absent streamlining, the City cannot accomplish its claimed goal of expediting housing production. 37 CONT

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

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

**17. The SEDA draft PEIR's alternatives analysis fails to satisfy CEQA requirements.**

CEQA Guidelines, § 15126.6, provides guidance for conducting an adequate alternatives analysis. A reasonable alternative to a project may involve implementing it at a different 38

[56] SB 2 Planning Grants Application, Section E, Project Description.

[57] Draft PEIR at pp. ES-2, 2-18, and 5-11.

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

location, as long as it "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." § 15126.6(a). Subdivision (c) of the Guideline can make consideration of a different location mandatory: "The range of potential alternatives to the proposed project *shall* include those that could *feasibly accomplish most of the basic objectives* of the project and could *avoid or substantially lessen one or more of the significant effects*." [Emphasis added.]

Except for developers with inventory in the SEDA area, it should be a matter of indifference where exactly the City lawfully exercises its planning and zoning powers to incentivize adequate production of needed housing. Although "the housing crisis" is the putative justification for this Specific Plan at this time (see, fn. 37, *supra*), the Plan does not propose solutions to the housing crisis Fresno actually has: too few homes affordable to those at low and very low incomes, and an oversupply of detached single-family homes for above-moderate income buyers.[59] Section 9, *supra*. While the SEDA Plan pays lip service to providing housing at all income levels, without question a plan serious about ensuring production of even some low-income housing must actively require and incentivize it, not just hope it appears if the plan is adopted; this plan makes no such provisions. Moreover, population growth has dropped significantly (see, section 8, *supra*); logically, housing demand is also dropping[60] and will likely continue to drop.

38
CONT

This is the *accurate* description of the Environmental Setting/Existing Conditions within which SEDA is being proposed. Whether SEDA is wise public policy is not a CEQA question. But CEQA does require that decisionmakers seriously consider the tradeoffs even when acting foolishly, and that the public be fully aware of the costs of the choices their electeds are making for them.

Here, the Objectives of the Plan are set forth at pp. 5-11 – 5-12 of the EIR, a dreamy litany of smart-growth measures that conserve resources and foster community. Sadly, when subjected to comparative scrutiny, not one of these objectives can be better accomplished in a sprawl-inducing greenfields project like SEDA than in an already-urban part of the city. It certainly appears to the lay observer that the Plan's resource-oriented objectives (coordinated infrastructure, resource-conserving techniques for public facilities, efficient use of energy, water and other resources, and reduction of energy and water consumption) are more likely in a location where infrastructure has already been built, and which can be improved or converted

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[59] The office of Fresno Mayor Jerry Dyer issued in April of 2022 a report entitled *One Fresno Housing Strategy*, which concluded that, *as of that date*, "Fresno needs 21,001 units for households who can afford no more than $500 on monthly housing costs," and "the City of Fresno has a glut of 28,310 single-family detached units over and above what Fresno households need based on household size." *Id.* at p. 38.

[60] Since the City has not responded to the Public Records Act request for the housing market study it apparently commissioned in connection with SEDA, these commenters are reduced to trawling the internet for pertinent data. According to one internet site, as of the end of February 2025, home sales had dropped 8.4% year over year, and were on average on the market 8 more days than for the same period last year. See, https://www.redfin.com/city/6904/CA/Fresno/housing-market, last accessed March 24, 2025.

to new uses depending on the project's needs. The SEDA alternative, to the contrary, will require billions of dollars in new infrastructure—the very opposite of resource conservation, and incompatible with the Plan's "fiscal responsibility" objective.

Other objectives, such as fostering healthy activity by providing walking and bicycling routes to activity centers, convenient transit service, walkable neighborhoods, mixed use town centers, and innovative employment areas, are geography-neutral: there is no need to create a new town on greenfields to provide these amenities for Fresno residents. In fact, the Housing Element commits the City "to upgrade the city's infrastructure as needed in low- and moderate-income neighborhoods with the greatest needs. *Priority for infrastructure projects will be given to serving established neighborhoods*." December 2024 draft Housing Element, p. 1E-3-119 [emphasis added].

The housing-related objectives are, likewise, geography-neutral—theoretically provision of housing affordable to all income levels and a wide variety of housing choices could be accomplished anywhere. However, unless the still-missing infrastructure financing plan calls for the City itself to fully absorb the expense, the massive cost of providing infrastructure to SEDA will make these objectives much harder to accomplish than they already are: these expenditures will inflate costs-per-square-foot; recouping those costs from SEDA homebuyers, renters, and business owners will create at least some drag on marketability, or will reduce the developers' return on investment. The possibility that lower-income housing could emerge from such a scenario is wildly unrealistic. 38 CONT

Finally, even if the SEDA Plan could create the perfect new town at the southeast corner of Fresno's sphere of influence, it would do so at a huge environmental cost to the region as a whole—including but not limited to the air quality, traffic, and water quality/access concerns itemized here and in other comment letters. It is unlikely that the SEDA Plan would be the environmentally superior alternative when compared to housing provision in existing urban areas of the city.

**a. The City must consider an Infill/No-Project Alternative.**

The City already has in hand a recent inventory of a sufficient number of suitable parcels to meet Fresno's housing needs in its December 2024 Housing Element draft. Facilitating housing development using the Housing Element as a blueprint is likely to yield all of the benefits and significantly reduced environmental impacts from construction and especially from operation.

An Infill Alternative is far likelier to meet many of the Plan's objectives, including creating housing affordable to the Fresnans who really need it. Recent state statutes privileging infill and low-income housing development, combined with a baseline of existing infrastructure, also create a pathway to expedited housing development—which is what you need in a crisis. 39

The SEDA draft PEIR must include an evaluation of this alternative, which *could feasibly accomplish most of the basic objectives of the project* and *could avoid or substantially lessen one or more of the significant effects* (§ 15126.6(a) [emphasis added]), to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed

project. CEQA Guidelines, § 15126.6(e)(1).

39 CONT

**b. The City must consider a West Area Neighborhood /No-Project Alternative.**

On March 12, 2025, the City finally released a Recirculated Specific Plan draft EIR for the West Area Neighborhoods. Again, this Plan provides for over 50,000 new homes, in an area already at least partially built out, with at least a baseline of existing infrastructure, and where at least some development would qualify under state procedures for expediting affordable housing.

Again, the West Area Neighborhoods Alternative is far likelier than the SEDA Plan itself to meet all of its objectives, with significantly reduced environmental impacts from both construction and operation. Environmentally, this is a second-best alternative to the Infill Alternative, since the West Area is a new growth area and will be developed less-densely than housing under an Infill concept. 40

The SEDA draft PEIR must include an evaluation of this alternative, which *could feasibly accomplish most of the basic objectives of the project* and *could avoid or substantially lessen one or more of the significant effects* (§ 15126.6(a) [emphasis added]), to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. CEQA Guidelines, § 15126.6(e)(1).

**18. On this record, a statement of overriding considerations to approve the PEIR would be an abuse of discretion.**

On the basis of the current record, it will be impossible for the City Council to make evidence-based findings that "specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment" (Public Resources Code, § 21081 (b)), or that the "unmitigated effects are outweighed by the project's benefits." (Laurel Heights, supra, 47 Cal.3d at p. 391.) 41

**Conclusion**

There is no emergency requiring immediate approval of this development plan. The City's own draft Housing Element establishes that there is more than adequate site inventory within the existing City to accommodate anticipated housing demand for at least eight years. More importantly, adoption of this plan at this time will utterly defeat its claimed principal purpose, to facilitate streamlined housing production by anticipating and mitigating at a program scale the environmental impacts of such development. 42

The City must correct erroneous population projections and otherwise gather corrected data, use the correct tools to assess impacts, identify effective and enforceable plan-scale mitigations, and fully disclose those facts and analyses. Given the size and scale of the SEDA proposal, and the need to bring the General Plan into conformity with statutory and judicial mandates, it may make most sense to roll its environmental assessment into a General Plan update.

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

Very truly yours,

PATIENCE MILROD
Attorney for Fresno Madera Tulare and Kings Counties Central Labor Council, and Regenerate California Innovation

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

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

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

### *Fresno Madera Tulare and Kings Counties Central Labor Council and Regenerate California Innovation (CLC/RCI)*

Please note that due to the volume of this comment letter (517 total pages), only the comment letter is reproduced in this section of the Final PEIR, and the full letter with the attached appendices are included in Appendix A of the Final PEIR. The attached appendices were reviewed in preparation of the Final PEIR and responded to in *Response to CLC/RCI-43*.

*Response to CLC/RCI-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. comments that address the objectives, policies, and contents of the Specific Plan document itself, and supporting documents, such as the Public Facilities Financing Options Report, which are not related to physical impacts to the environment but rather discuss the merit or constraints of implementing the policies included in the Specific Plan are appropriately not addressed in the Final PEIR. The City has conducted its own outreach and solicited public comment on the scope and content of the Specific Plan. No further response is required.

*Response to CLC/RCI-2*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to CLC/RCI-3*

The comment is noted. Please refer to *Response to CLC/RCI-1*. No further response is required.

*Response to CLC/RCI-4*

The comment is noted. Please refer to *Response to CLC/RCI-1*. No further response is required.

*Response to CLC/RCI-5*

The comment is noted. Please refer to *Response to CLC/RCI-1*. No further response is required.

*Response to CLC/RCI-6*

The comment is noted. In March 2025, the City of Fresno rescinded the 2021 General Plan PEIR and GHG Reduction Plan. However, the City's adopted Fresno General Plan was not rescinded and remains the effective General Plan document for the City of Fresno including all of the data, policies and objectives contained therein. The Recirculated Draft PEIR neither tiers off the now decertified General Plan Update PEIR nor does it rely on any of the mitigation measures included in the General Plan Update PEIR. As such, the Recirculated Draft PEIR appropriately relies on its own analysis, project-specific mitigation, and evaluates consistency with the objectives and policies included in the General Plan itself.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-7*
The comment is noted. Please refer to *Response to CLC/RCI-6*. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. Additionally, please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-8*
The comment is noted. Please refer to *Response to CLC/RCI-7*. Additionally, please refer to the project objectives specific to the proposed project, which are presented in Chapter 2, Project Description, of the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-9*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to CLC/RCI-10*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to CLC/RCI-11*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Future development within the Plan Area would be reviewed by the City, as the lead agency, to ensure that the policies and objectives in the Specific Plan are implemented and that the project objectives are met. The proposed project is a document that provides a vision for growth and development in the SEDA over the next 20 to 30 years. This long-range planning document addresses a wide range of topics including affordable housing, jobs and economic development, transportation, parks and open space, and a healthy environment. As the proposed project is a policy-level document, it does not include any specific development proposals. The Specific Plan proposes changing land use designations for some of the Plan Area's parcels, which would require an amendment to the General Plan Land Use map. Specifically, Specific Plan Policies CF-4.3, HC-1.1, HC-2.1, HC-2.2, HC-2.3, and UF-1.4 all promote affordable housing and a variety of housing types. Additionally, the General Plan also contains policies that would also apply to the proposed project,

including Policies UF-1-e, LU-2-b, LU-5-f, UF-1-d, UF-1-e, LU-2-b, H-1-c, H-5-g, H-2-a, H-2-b, H-5-g, that promote to the affordable housing.

Additionally, as discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

*Response to CLC/RCI-12*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 address why comments on Specific Plan policies or the merit of the plan are not considered physical impacts on the environment and are not further addressed in the Final PEIR. No further response is required.

*Response to CLC/RCI-13*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. Additionally, please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses.

Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-14*
The comment is noted. Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to CLC/RCI-15*
The comment is noted. Please refer to *Responses to COUNTY-1 through COUNTY-21*. Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to CLC/RCI-16*
The comment is noted. Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR describes the existing conditions related to utilities and service systems (water, wastewater, stormwater, and solid waste) in the City and Plan Area as well as the relevant regulatory framework. This section also evaluates the possible impacts related to such utilities and service systems that could result from implementation of the proposed project. Appendix I to the Recirculated Draft PEIR contains the technical studies that include the analysis contained and discussed in Section 3.18. Please also refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to CLC/RCI-17*
The comment is noted. Please refer to *Response to CLC/RCI-16*. No further response is required.

*Response to CLC/RCI-18*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant

levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

*Response to CLC/RCI-19*
The comment is noted. Please refer to Responses to CLC/RCI-16 through CLC/RCI-18. No further response is required.

*Response to CLC/RCI-20*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

*Response to CLC/RCI-21*
The comment is noted. Please refer to *Responses to COUNTY-1 through COUNTY-21*. Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to CLC/RCI-22*
The comment is noted. Please refer to *Response to CLC/RCI-16*. No further response is required.

*Response to CLC/RCI-23*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-24*
The comment is noted. Please refer to *Response to CLC/RCI-11*. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document.

Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to CLC/RCI-25*
The comment is noted. Please refer to *Responses to COUNTY-1 through COUNTY-21 and Responses to SC-CVP-LWV-1 through SC-CVP-LWV-25*. Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. However, the 2025 letter prepared on behalf of the County of Fresno Department of Public Works is largely the same as the 2023 letter and is addressed in *Response to COUNTY*, and the letter prepared on behalf of the Sierra Club Central Valley Partnership is addressed in *Response to SC-CVP-LWV*. No further response is required.

*Response to CLC/RCI-26*
The comment is noted. Please refer to *Responses to COUNTY-1 through COUNTY-21 and Responses to CALTRANS-1 through CALTRANS-12*. As discussed in the Recirculated Draft PEIR, average VMT per capita under existing conditions for the City is 13.1 miles compared to 16.2 miles for the County of Fresno (approximately 19 percent less than the county average). Through the implementation of the General Plan, in 2035, the City VMT per capita (16.5 miles) is forecast to be 17 percent less than the County VMT per capita (19.9 miles). Corresponding numbers for VMT per employee indicate that the City average is forecast to be 13 percent lower than the 2035 County average. This is a greater reduction in VMT than forecast by the Fresno COG in the RTP, a 12 percent reduction in VMT for the RTP project. The buildout of the proposed project would serve to further reduce VMT per capita in the region by locating high-density housing near service amenities and jobs. Total VMT for the SEDA Specific Plan was calculated by multiplying daily volumes on the projected network by distance traveled. As described above and in the Recirculated Draft PEIR, the VMT per Service Population in the project area with the project built out in 2035 drops from 45.72 to 5.07 although total VMT is projected to increase due to population and employment growth. As such, the Recirculated Draft PEIR found a less than significant impact related to VMT in Impact TRANS-2.

Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Please also refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR.

*Response to CLC/RCI-27*
The comment is noted. Please refer *to Responses to CALTRANS-1 through CALTRANS-12*. The City has worked closely with Caltrans, resulting in clarifying revisions to the mitigation related to transportation as shown in Chapter 4, Errata, of this Final PEIR. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary, including transportation and traffic impacts. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area No further response is required.

*Response to CLC/RCI-28*
The comment is noted. Please refer to *Responses to SC-CVP-LWV-1 through SC-CVP-LWV-25*Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to CLC/RCI-29*
The comment is noted. The Valley Air District has prepared plans to attain and maintain State and federal ozone and particulate matter AAQS. These attainment plans include emissions inventories, air monitoring data, control measures, modeling, future pollutant-level estimates, and general health information. Attainment planning models rely on regional inputs to determine ozone and particulate matter formation and concentrations in a regional context.

With respect to ozone, ROG/ VOC and $NO_X$ are precursors to ozone, increased concentrations of which can cause health effects generally associated with reduced lung function. The contribution of VOCs and $NO_X$ to a region's ambient ozone concentrations is the result of complex photochemistry. Because of the reaction time involved, peak ozone concentrations often occur far downwind of the precursor emissions. Therefore, ozone is a regional pollutant that often affects large areas. Because of the complexity of ozone formation, the pounds or tons of emissions from a proposed project in a specific geographical location do not equate to a specific concentration of ozone formation in a given area, because in addition to emission levels, ozone formation is affected by atmospheric chemistry, geography, and weather. Because air district attainment plans and supporting air model tools are regional in nature, they do not allow for analysis of the health impacts of specific projects in any given geographic location.

In contrast to attainment models, CalEEMod (one of the models used by the City in conducting air quality analyses) is designed to calculate and disclose the total emissions expected from the construction and operation of a proposed project (tons/year). The estimated emissions are then

compared to Valley Air District significance thresholds, which are in turnkeyed to reducing emissions to levels that will not interfere with the region's ability to attain the federal and State AAQS. This protects public health in the overall region, but there is currently no methodology to determine the impact of emissions on concentration levels in specific geographic areas. Neither the Valley Air District nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's total emissions. Therefore, the analysis of direct health impacts due to emissions from future projects is not yet feasible.

In contrast to regional attainment models and techniques to calculate total emissions for projects, methodologies are available to prepare AAQA and HRA evaluations of the health effects on a detailed, project-specific basis. However, these assessment techniques require a large amount of detail regarding a proposed project and nearby receptors, and the data necessary to scale up these types of analyses to a Plan Area-level would be infeasible and would involve an undue level of speculation regarding the detailed operations of future land uses and receptors.

Based on the foregoing, the City does not yet have sufficient identified or known details from as yet unidentified potential future projects that would be necessary to develop the assumptions to conduct the requested analysis. There are currently no emissions models or methodologies available that are consistent and reliable enough to prepare a meaningful analysis of the specific health effects from county-wide air emissions.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible, including a human health risk assessment. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

*Response to CLC/RCI-30*

The comment is noted. As detailed in Master Response 5, Clarification of Programmatic Document, a Program EIR is not expected to analyze site-specific or project-specific environmental impacts nor provide the level of detail found in a project-level EIR. Planning-level policies and mitigation measures should be consistent with the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code §§ 65300.9; State CEQA Guidelines §§ 15143, 15146, 15151, and 15204). Accordingly, the Draft PEIR appropriately disclosed program-level health risk impacts that would result from future implementing projects.

As discussed in Section 3.3, Air Quality, of the Draft Recirculated PEIR, as it is not possible to determine the amount of TAC concentrations at the time of this analysis, it is not possible to calculate the risks for a particular health effect within the Plan Area. The proposed project is programmatic, and until specific future projects are proposed the associated TAC emissions cannot be determined or modeled at this time. MM AIR-1d requires the submittal of a Health Risk Assessment (HRA) and the inclusion of project-specific T-BACTs as appropriate, prior to future discretionary approval for future industrial or warehousing projects located within established screening distances. In addition, as described in the regulatory section, AB 98 will prescribe various Statewide warehouse design and building standards for new or expanded logistics use developments. These requirements will ensure that individual future development projects in the Plan Area do not have a significant impact on sensitive receptors.

Further, the planned improvements, objectives and policies under the proposed Specific Plan would generally support a sustainable development pattern in accommodating future growth within the Plan Area, which would generally contribute to reducing long-term criteria air pollutant emissions. In addition, application of Valley Air District Rule 9510 and Regulation VIII would contribute to reducing operation- and construction-related NOX and particulate matter emissions. Furthermore, Rule 9410 would also contribute to reducing operation-related mobile source emissions.

If the Draft Recirculated PEIR is certified and the Specific Plan approved, future implementing construction and development plans would be subject to project-level HRA and potentially additional feasible mitigation, if necessary, as required by MM AIR-1d. As individual projects with site-specific grading, development, and architectural plans and facilities are submitted to the City for review, the City will evaluate each project in light of the information in the Draft PEIR. No further response is required.

*Response to CLC/RCI-31*
The comment is noted. The comment incorrectly compares the Air Districts emissions inventory data, which is in tons per day, with the SEDA estimated annual construction regional emissions, which are in tons per year. Section 3.3, Air Quality, Table 3.3-8, of the Draft Recirculated PEIR correctly indicates that these are annual emissions. Therefore, the analysis correctly compares the projects emissions to the Valley Air District's thresholds which are annual thresholds in terms of tons per year. This is explained in the text preceding the table. The appendix materials also clearly show that these calculated emissions are in tons per year and not tons per day.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. The City, as Lead Agency, has the authority to approve the proposed project even if significant and unavoidable impacts would occur so long as the City's basis for doing so is supported by the required CEQA findings, including, if necessary, a Statement of Overriding Considerations. As noted in Section 3.3, Air Quality, of the Draft Recirculated PEIR, while the final determination of whether a project would have a significant impact is within the purview of the Lead Agency pursuant to Section 15064(b) of the State CEQA Guidelines, the City, in its discretion, has acted in accordance with Valley Air District recommendation that its quantitative air pollution thresholds be used to determine the significance of project emissions. The

applicable Valley Air District thresholds and methodologies are contained under each impact statement in Section 3.3, Air Quality, as the City, in its discretion, has determined to utilize these thresholds and methodologies, which are based on robust scientific and factual data appropriately considered and incorporated therein by the Valley Air District, as the expert public agency charged with addressing air quality emissions within Valley Air District boundaries, which include the project site. No further response is needed.

*Response to CLC/RCI-32*
The comment is noted. As detailed in Master Response 5, Clarification of Programmatic Document, a Program EIR is not expected to analyze site-specific or project-specific environmental impacts nor provide the level of detail found in a project-level EIR. Planning-level policies and mitigation measures should be consistent with the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code §§ 65300.9; State CEQA Guidelines §§ 15143, 15146, 15151, and 15204).

Various policies of the General Plan and the proposed Specific Plan would promote complete streets, mixed-use and transit-oriented neighborhoods, and increased capacity for alternative transportation modes, which would help reduce air pollutant emissions. As included in the Regulatory Framework section above, these policies include General Plan policies UF-1c, UF-12a-f, UF-14a and 14b, LU-2, LU-3, LU-5-f, RC-4, HC-3-d, HC-3-f, MT-1 and MT-2. Proposed Fresno SEDA Specific Plan policies related to air quality include HC-3.2 and 3.3, OS-6, and the policies included in the draft Plan's Greenhouse Gas Reduction and Conservation chapter, including Policy RC-1.1 through 1.7. These policies promote active transit, clean air measures, and support the reduction in average vehicle trip distances, which contribute to reducing overall per capita VMT in the region. All of the policies identified are plan-level that would also apply to individual development projects proposed in the Plan Area.

MM AIR-1a would serve to further reduce emissions generated by future development projects envisioned in the Plan Area. MM AIR-1b and MM AIR-1c require the submittal of a technical assessment of project-specific construction phase and operation-related air quality impacts, and the identification of project-specific mitigation measures as appropriate, prior to future discretionary project approval. MM AIR-1d requires the submittal of a Health Risk Assessment (HRA) and the inclusion of project-specific T-BACTs as appropriate, prior to future discretionary approval for future industrial or warehousing projects located within established screening distances. In addition, as described in the regulatory section, AB 98 will prescribe various Statewide warehouse design and building standards for new or expanded logistics use developments. These requirements will ensure that individual future development projects in the Plan Area do not have a significant impact on sensitive receptors.

However, even with the implementation of these policies and mitigation measures, as further discussed under Impact AIR-2 and Impact AIR-3 in the Recirculated Draft PEIR, due to the size of the proposed development, the proposed project could create a localized violation of State or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, and potentially expose sensitive receptors to substantial pollutant concentrations under cumulative conditions. There is no mitigation available that would reduce the criteria pollutant emissions from

the proposed project's construction or operation to less than significant levels, as compared to the recommended Valley Air District significance thresholds. Therefore, the proposed project would have a significant impact under this criterion.

The geographic scope of the cumulative impact analysis for Air Quality is the SJVAB. This analysis evaluates whether impacts of the Specific Plan, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to air quality emissions. This analysis then considers whether incremental contribution of the impacts associated with implementation of the Specific Plan would be significant. Both conditions must apply for cumulative effects to rise to the level of significance. In accordance with the Valley Air District's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Because of the extent of the area potentially impacted from cumulative project emissions (i.e., the SJVAB); the Valley Air District considers a project cumulatively significant when project-related emissions exceed the regional emissions thresholds.

As discussed above, while implementation of MM AIR-1a through MM AIR-1d would serve to reduce criteria air pollutant and TAC emissions generated by the proposed project, there is currently not enough information to quantify emissions of specific project development that may occur under the proposed project. Without quantification to guarantee a less than significant finding, future development projects may still exceed the Valley Air District regional significance thresholds. Additionally, due to the size of the proposed project, there is not sufficient mitigation available to reduce the potential criteria pollutant emissions associated with the proposed project to levels that would not exceed the Valley Air District thresholds of significance. Therefore, cumulative impacts to air quality would be considered to remain significant and unavoidable. No further response is required.

*Response to CLC/RCI-33*
The comment is noted and is included in the record passed to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. Furthermore, refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CLC/RCI-34*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Both a Water Technical Study and a WSA were prepared for the proposed project which utilized data from the City's UWMP and the City's Metropolitan Water Resources Management Plan (Metro Plan). The data and analysis contained in the Draft Recirculated PEIR has also been reviewed by the City's Public Utilities department. As stated in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR and the Water Technical Study prepared for the proposed project in the Recirculated Draft PEIR, the increase in water demand for the Specific Plan Area is 1.7 percent greater from the demand projected in the

General Plan. The impacts to water supply could be potentially significant; however, upon compliance with regulatory requirements, proposed policies for full implementation of the proposed Specific Plan, proposed mitigation measures, and construction of proposed water supply and distribution system infrastructure, the impact would be reduced to a less than significant level. Please see the mitigation measures included in Section 3.10, Hydrology and Water Quality, and Section 3.18, Utilities and Service Systems, of the Draft Recirculated PEIR.

A WSA prepared for the proposed project demonstrates that the increase in water demand due to the proposed project would not exceed the projected available water supplies for the normal, single dry, and multiple dry years. The Recirculated Draft PEIR found that with mitigation incorporated, impacts to water supply would be less than significant. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to CLC/RCI-35*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to CLC/RCI-36*
The comment is noted. Please refer to *Responses to COUNTY-1 through COUNTY-21*. Please also refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to CLC/RCI-37*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to CLC/RCI-38*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

*Response to CLC/RCI-39*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. As discussed in Chapter 5, Alternatives to the Proposed Project, of the Recirculated Draft PEIR, in accordance with CEQA Guidelines Section 15126.6, the Recirculated Draft PEIR contains a comparative impact assessment of alternatives to the proposed project. The primary purpose of the section is to provide decision-makers and the general public with a reasonable number of feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects. Important considerations for the alternatives analyses are noted below (as stated in CEQA Guidelines § 15126.6).

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental effects.

Therefore, the Recirculated Draft PEIR appropriately analyses alternatives that address the significant impacts identified in the analysis. As discussed in the Recirculated Draft PEIR, the project as proposed does already meet the objectives identified for the proposed project. No further response is required.

*Response to CLC/RCI-40*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. CEQA Guidelines Section 15126.6(e) requires an EIR to evaluate a 'No Project Alternative,' which is defined as what would be reasonably expected to occur in the foreseeable future, if the project were not approved. As discussed in Chapter 5, Alternatives to the Proposed Project, of the Recirculated Draft PEIR contains an analysis of "Alternative 1 – No Project Alternative" consist with CEQA Guidelines. Under Alternative 1, the Specific Plan would not be approved, and thus, the proposed Specific Plan policies would not be implemented, and no zoning or land use designation changes would occur in the Plan Area. Additionally, the areas within the Plan Area that are outside of the City's SOI would not be annexed to the City.

In regard to an alternative location alternative, CEQA case law has found that there is "no iron clad rule governing the nature or scope of the alternatives to be discussed in an EIR, other than the rule of reason." (*Citizens of Goleta Valley v. Board of Supervisors*). The rule of reason dictates that only

project alternatives which may be feasibly accomplished, considering the economic, environmental, social, and technological factors involved. An alternative site for the proposed project would not be feasible as the proposed project does not contemplate any specific development. Rather, it is a program-level analysis of the implementation of the Specific Plan, which is specific to the location within the City for future planning under the General Plan. As such, the proposed project appropriately did not evaluate an alternative location alternative.

Future development in the Plan Area would be developed in accordance with the current land use and zoning maps identified in the General Plan. The buildout of the General Plan includes approximately 17,900 homes and approximately 29,600 jobs in the Plan Area. Comparatively, the proposed Specific Plan would include approximately 45,000 homes and approximately 37,000 jobs. The existing Plan Area contains the following General Plan designations that would not change under Alternative 1: Residential-Low Density, Residential-Medium Density, Residential-Urban Neighborhood, Employment-Mixed Use, Employment-Office, Public Facilities, Open Space, and Buffer. As such, the Recirculated Draft PEIR does evaluate a No Project alternative as required by CEQA Guidelines. No further response is required.

*Response to CLC/RCI-41*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to CLC/RCI-42*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to CLC/RCI-43*
The comment is noted. This comment includes the appendices included in CLC/RCI. The findings and information provided in these appendices are discussed within the body of the comment letter, and thus, are responded to in Response to CLC/RCI-1 through CLC/RCI-42. No further response is required.

**Via Email [longrangeplanning@fresno.gov] and United States Mail**

Sophia Pagoulatos, Planning Manager
Planning & Development Department
CITY OF FRESNO
2600 Fresno Street, Room 3065
Fresno, CA 93721

**Re: Recirculated Draft Environmental Impact Report for Specific Plan for the Southeast Development Area**

Dear Ms. Pagoulatos:

Parga Partners Limited Partnership (Fowler Packing) appreciates the opportunity to submit comments on the Recirculated Draft Environmental Impact Report (RDEIR) for the Southeast Development Area Specific Plan (SEDA) that is currently being proposed by the City of Fresno (the City). Fowler Packing has owned property within the SEDA plan area for decades and has a vested interest in the future growth and development of the community.

**Flexibility in Land Use Distribution**

As landowners with contiguous land holdings within the SEDA plan area, we request that the City provide flexibility in the placement of land use designations on our properties. Specifically, we seek the ability to adjust the location of land use polygons within our contiguous parcels, provided that the overall densities, acreages, and land use mix analyzed in the RDEIR remain consistent. This flexibility is essential to ensure efficient site planning, optimize infrastructure investments, and respond to evolving market conditions while remaining aligned with the intent and goals of the SEDA. 1

**Light Industrial & Manufacturing Uses in Flexible Research & Development**

Fowler Packing owns land within the SEDA plan area designated for Flexible Research & Development. We request clarification on whether the RDEIR has considered light industrial and manufacturing uses within this designation. Specifically, could the City confirm that the thresholds analyzed in the RDEIR would allow for light industrial and manufacturing uses within the Flexible Research & Development land use designation? 2

**Proposed Amendments to Land Use Designations**

Fowler Packing has concerns with the proposed land use designations on the following parcels and would request City staff to consider the following amendments:

| Property (APN) | SEDA Proposed Land Use | Fowler Packing Requested Land Use |
|---|---|---|
| 316-040-78 | Institutional | Light Industrial |
| 316-040-80 | Institutional | Light Industrial / Community Center (5 acres) |
| 316-040-81 | Mixed Residential (20)/ Community Center (10) | Mixed Residential (25) / Community Center (5) |
| 316-051-20 | Office Center | Light Industrial / Community Center (5 acres) |
| 316-051-84S | Office Center/ Community Center | Light Industrial |
| 316-051-09 | Neighborhood Center/ Neighborhood Residential / Flexible R&D | Replace the Flexible R&D (20 ac) with Neighborhood Residential |
| 313-082-53 | Mixed Residential | Community Center |

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Thank you for your consideration of these comments and we look forward to receiving clarification from the City regarding light industrial and manufacturing uses within the Flexible Research & Development District.

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Respectfully submitted,

Leland Parnagian
President, Fowler Packing

## *Fowler Packing (FOWLER PACKING)*

*Response to FOWLER PACKING-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan document itself or its policies are not further addressed in the Final PEIR. No further response is required.

*Response to FOWLER PACKING-2*

The comment is noted. Please refer to *Response to FOWLER PACKING-1*. No further response is required.

*Response to FOWLER PACKING-3*

The comment is noted. Please refer to *Response to FOWLER PACKING-1*. No further response is required.

*Response to FOWLER PACKING-4*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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March 24, 2025

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721
Sent by email: longrangeplanning@fresno.gov

**RE: Greenfield Coalition Comments on 2025 Recirculated draft Program Environmental Impact Report for Southeast Development Area Plan (2025 SEDA Draft PEIR)**

Dear Ms. Pagoulatos:

On behalf of the Greenfield Coalition, for which Regenerate California Innovation (RCI) acts as fiscal agent, we respectfully request the City incorporate the following comments and references regarding the Southeast Development Area Specific Plan and Recirculated draft Program Environmental Impact Report into the record of this matter, and provide substantive responses to these comments.

The Greenfield Coalition is a group of citizens and leaders in Fresno, California who are committed to preserving our city's agricultural land and green spaces, revitalizing our urban core, and advocating for responsible growth and urban planning. We envision a Fresno where all communities - new and historic - thrive with equitable investment, safe neighborhoods, vibrant schools and businesses, and sustainable infrastructure. Through research and advocacy, we strive to protect our existing communities and environment, and aim to create a resilient city that cherishes its heritage while embracing innovative solutions for sustainable growth.[i] 1

1. **This Greenfield Coalition comment letter fully incorporates the** Public Comments on the 2025 Recirculated draft Program Environmental Impact Report for Southeast Development Area Plan (SEDA Draft PEIR) submitted on behalf of the Fresno Madera Tulare and Kings Counties Central Labor Council and Regenerate California Innovation (RCI), by Patience Milrod, Lawyer, submitted to the City of Fresno on March 24, 2025. 2

2. **We highlight comments and questions below that emerge from our review of the 2025 SEDA Draft PEIR, which are organized around the purpose statements of CEQA assessment as outlined by The Governor's Office of Planning and Research.[ii] We generally find that the 2025 SEDA Draft PEIR is substantively and technically deficient and fails to adequately:**

   a. Inform City of Fresno government decisionmakers and the public about the potential environmental effects of proposed SEDA project activities;
   b. Identify the ways that environmental damage by the SEDA project can be avoided or significantly reduced;
   c. Prevent significant, avoidable environmental damage by requiring changes in the SEDA project either by the adoption of alternatives or imposition of appropriate mitigation measures; and
   d. Disclose to the public 'why' the SEDA project should be approved with significant environmental impacts that cannot be mitigated to a less than significant level.

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3. **Failure of the 2025 SEDA Draft PEIR to adequately inform City of Fresno government decisionmakers and the public about the potential environmental effects of proposed SEDA project activities:**

   a. The 2025 SEDA Draft PEIR incorporates out-of-date future population growth and housing demand estimates.[iii] This results in misrepresentation and extreme overstatement of the demand for the SEDA project, and appropriately elevates the question of the factual need for the SEDA project to move forward at all. If the SEDA project is unnecessary from a future population and housing demand standpoint, how are the significant unavoidable environmental impacts produced by development of SEDA justified?

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   b. The 2025 SEDA Draft PEIR fails to provide a timely SEDA buildout focused public facilities financing plan and a comprehensive fiscal impact analysis of the long-term and perpetual operating costs the City is obligated to bear for the full buildout of the SEDA plan area. These deficiencies must be corrected for there to be full public disclosure of the evaluation of all environmental and related plan impacts and to provide an adequate basis for prudent well-informed decision making by City of Fresno government officials. The lack of rigorous and comprehensive financial and fiscal analyses raises critical questions about the sustainability of City General Fund resources and the City's fiscal solvency going forward. How can a City with pervasive and unmitigated cumulative urban decay, blight, and increasing negative environmental impacts, take on 9,000 acres of additional fiscal responsibility and adequately address huge existing public infrastructure and service deficits as well as meet future needs for public facilities, safety, other municipal services and

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environmental quality? 5 CONT

**4. Failure of the 2025 SEDA Draft PEIR to adequately identify the ways that environmental damage by the SEDA project can be avoided or significantly reduced:**

a. The 2025 SEDA Draft PEIR contributes to the real environmental damage the SEDA project could otherwise avoid, by incorporating false and unsupportable General Plan consistency analyses, violating standards for General Plan consistency. (PIER, Table 3.11-1: General Plan Consistency Analysis, Page 3.11-24). Contrary to consistency statements in the 2025 SEDA Draft PEIR, the SEDA plan detracts from and does not support a General Plan focus on infill development within the existing city limits, will not enhance existing residential neighborhoods through regulations, code enforcement, and compatible infill development, and will compete through SEDA planned land uses, design, and development intensities with demand for Downtown development and related investment.[iv] Most of the General Plan consistency analysis provided in the 2025 SEDA Draft PEIR is not only substantively and technically deficient, it is speciously false, confusing the public and decision makers about potential negative environmental and other impacts of SEDA. 6

b. The 2025 SEDA Draft PEIR does not disclose or mitigate the environmental impacts of directing billions of dollars into SEDA infrastructure, forcing scarce city resources away from existing neighborhoods, commercial districts and Downtown. 7

**5. Failure of the 2025 SEDA Draft PEIR to adequately prevent significant, avoidable environmental damage by requiring changes in the SEDA project either by the adoption of alternatives or imposition of appropriate mitigation measures:**

a. The 2025 SEDA Draft PEIR inappropriately recommends a piecemeal and confusing approach for plan impact analysis and mitigation, resulting in substantively and technically deficient cumulative impact analyses. The 2025 SEDA Draft PEIR does not supply plan level analysis and mitigation, punting to case-by-case future development project application environmental reviews and mitigation, which prevents prevention of significant, avoidable environmental damage. The public and decision makers are clearly not provided with the adequate assessments of SEDA impacts required by CEQA. 8

b. The 2025 SEDA Draft PEIR dismisses the need for evaluation of project alternatives (like an Infill Development Alternative and/or a West Area Neighborhood Specific Plan Alternative, for example), because of the scale of SEDA development proposed and its land use impacts. However, as noted above, the scale of SEDA plan is no longer justified by current relevant future 9

population growth and housing demand projections. As evaluated by the City of Fresno in a detailed parcel analysis in current Housing Element documents, existing city of Fresno infill housing development capacities can absorb multiples of realistic housing demand for the entire city for decades into the future.[v] Also, the Recirculated Draft EIR for the West Area Neighborhoods Specific Plan released for public review and comment on March 12, 2025, indicates a capacity for total housing units well above what is errantly proposed by SEDA.[vi] Not evaluating these types of plan/project alternatives through the 2025 SEDA Draft PEIR diminishes the efficacy and relevance of the CEQA assessment.

9 CONT

6. **Failure of the 2025 SEDA Draft PEIR to adequately disclose to the public 'why' the SEDA project should be approved with significant environmental impacts that cannot be mitigated to a less than significant level:**

   a. Restating again that the 2025 SEDA Draft PEIR fails to meet standards for public involvement by failing to provide timely circulation for public comment of a SEDA focused public facilities financing plan and a comprehensive fiscal impact analysis of the SEDA buildout on the sustainability of City General Funds and the City's fiscal solvency going forward.

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   b. If you combine the comments in our letter above, and all the detailed comments and references contained in the Public Comments on the 2025 Recirculated draft Program Environmental Impact Report for Southeast Development Area Plan (SEDA Draft PEIR) submitted on behalf of the Fresno Madera Tulare and Kings Counties Central Labor Council and Regenerate California Innovation (RCI), by Patience Milrod, Lawyer, submitted to the City of Fresno on March 24, 2025, it is apparent that the 2025 SEDA Draft PEIR fails to adequately disclose to the public why the SEDA project should be approved with significant environmental impacts that cannot be mitigated to a less than significant level.

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7. **In summary, the City of Fresno fails to provide a substantive and technically accurate CEQA assessment through the 2025 SEDA Draft PEIR that fully informs the public and decision makers as required; fails to provide a factual and believable 'why' the SEDA plan should move forward; and fails as a tool capable of providing a defense for legislative actions to approve and implement the Draft SEDA Specific Plan. Major critical and comprehensive analyses are missing and much work is still required to demonstrate evidence for conclusions and findings in the 2025 SEDA Draft PEIR. The Draft SEDA plan and EIR should be pulled from consideration in public hearings, and if not, denied by the Fresno City Council. In any event, a citywide and regional effort with extensive community and business involvement should be initiated by the City to comprehensively update the City of Fresno General Plan with the most contemporary factual data and relevant future population, economic and fiscal trend analyses.**

12

8. **With respect to the vision and goals of the Greenfield Coalition – Elevating infill infrastructure, community revitalization, housing development, economic opportunity and health and well-being within the existing city limits is our priority. We see this happening through focused City efforts working alongside residents, businesses and developers. The action items below are being discussed by different local community groups and developers and merit consideration as effective tools to make infill development feasible and competitive at the scale needed in Fresno.**

    a. **By-Right Fast-Track Infill Housing –** 90-120 day streamlined entitlement, permitting and ministerial map approvals for 1 to 50 Units of Single Family (SF), Multiple-Family (MF), ADUs, and Junior ADUs related Infill Housing already allowed by existing zoning. **By-Right Fast-Track** process and timeline to include single coordinated system of all City departments and interagency partner sign-offs and approvals.
    b. **City Initiates Proactive Infill Infrastructure Development and Land Assembly** to support all possible/feasible infill housing units on parcels identified by Housing Element
    c. **Combine Affordable Infill Housing and Transportation Sales Tax Initiative –** Or create companion complementary sales tax initiatives
    **d. Maximize All Possible Financing District and Other Options –** including EIFDs, NIFTIs, Revolving Loan Funds, Housing Bonds, etc.
    **e. Leverage the Housing Element to Advance Tenant & Community Opportunity to Purchase Policies – TOPA-COPA**[vii]

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**Respectfully submitted,**

KR Bergthold

**Keith Bergthold, CEO, Regenerate California Innovation, On behalf of the Greenfield Coalition – keith@regenerateca.org**

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[i] **Greenfield Coalition Website:** www.greenfieldcoalition.org

[ii] **THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, CEQA 101:** https://lci.ca.gov/ceqa/docs/20210809-CEQA_101.pdf

[iii] **Milrod, 3-24-25 SEDA Comment Letter:** In December of 2024, the City paid First Carbon Solutions an additional $153,636 to author a second Recirculated draft PEIR (see endnote 'iv' below); at that point, the accurate DOF and FCOG population data were readily available. In fact, when one now follows the link provided in the Recirculated PEIR at footnote 5 on page 3.14-2, one finds FCOG's October 2024 updated data https://www.fresnocog.org/wp-content/uploads/2023/11/2024-Fresno-COG-2023-2060-Growth-Projections-REPORT.pdf), which show a Fresno population in 2025 of 595,370 (not the PEIR's 621,540 - SEDA PEIR, at p. 3.14-2). FCOG's updated data report a 2050 Fresno City population of 646,260 (not the PEIR's 728,200). The accurate, FCOG, data show a Fresno City increase of 50,890 people between 2025 and 2050, not the almost 107,000 predicted in the PEIR. The accurate, FCOG, data yield only an additional 16,963 households

by 2050, well under half of the 35,553 households the PEIR's figures would project.

These errors in growth projections are fundamental: According to SEDA, its plans for 45,000 new housing units would comprise planned growth of only 31% percent of the total planned capacity for the City (PEIR, p. 3.14-13 – Section 3.14.4 - Project Impacts and Mitigation Measures). However, using accurate, FCOG, growth figures, it is clear that SEDA development would amount to almost *three times* (265%) the actual housing needs for all of Fresno City by 2050. Such a glut of new homes on the market, and the public investment necessary to launch it, would shatter the General Plan's goals for infill development and revitalization of Fresno City existing neighborhoods.

[iv] **SEDA Recirculated Draft PEIR (2-7-25):** https://files.ceqanet.opr.ca.gov/276421-4/attachment/E7xfuoY9aiwTd1F4Br6y2xPNwz9jb4qYaGAHTppQZrJ9eAd4pBW8DlVTfVOghVwTqrTF1qJYWqMyxlEl0

[v] **APPENDIX 1E: CITY OF FRESNO - Fresno Multi-Jurisdictional 2023-2031 Housing Element, December 2024:** https://www.fresno.gov/wp-content/uploads/2024/12/Appendix-1E_Fresno_December-2024-10w309.pdf

[vi] **Recirculated Draft EIR for the West Area Neighborhoods Specific Plan:** https://www.fresno.gov/planning/plans-projects-under-review/#west-area-neighborhoods-specific-plan

[vii] **TOPA-COPA:** https://publicadvocates.org/wp-content/uploads/2022/04/topa-copa-policies.pdf

## *Greenfield Coalition (GREENFIELD)*

*Response to GREENFIELD-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to GREENFIELD-2*
The comment is noted. Please refer to *Responses to CLC/RCI-1 through CLC/RCI-43*. No further response is required.

*Response to GREENFIELD-3*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to GREENFIELD-4*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

*Response to GREENFIELD-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. Furthermore, as discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facility would be less than significant impact with mitigation incorporated. No further response is required.

*Response to GREENFIELD-6*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to GREENFIELD-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GREENFIELD-8*
The comment is noted. As detailed in Master Response 5, Clarification of Programmatic Document, a Program EIR is not expected to analyze site-specific or project-specific environmental impacts nor

provide the level of detail found in a project EIR. Planning-level policies and mitigation measures should be consistent with the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code §§ 65300.9; State CEQA Guidelines §§ 15143, 15146, 15151, and 15204). Additionally, each section within the Recirculated Draft PEIR includes a cumulative analysis for each environmental topical area. No further response is required.

*Response to GREENFIELD-9*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

As discussed in Chapter 5, Alternatives to the Proposed Project, of the Recirculated Draft PEIR, in accordance with CEQA Guidelines Section 15126.6, the Recirculated Draft PEIR contains a comparative impact assessment of alternatives to the proposed project. The primary purpose of the section is to provide decision-makers and the general public with a reasonable number of feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects. Important considerations for the alternatives analyses are noted below (as stated in CEQA Guidelines § 15126.6).

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental effects.

Therefore, the Recirculated Draft PEIR appropriately analyses alternatives that address the significant impacts identified in the analysis. As discussed in the Recirculated Draft PEIR, the project as proposed does already meet the objectives identified for the proposed project. No further response is required.

*Response to GREENFIELD-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GREENFIELD-11*
Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to GREENFIELD-12*

The comment is noted. this comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to GREENFIELD-13*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. No further response is required.

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March 21, 2025

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Fresno, CA 93721

Via Email to:
sophia.pagoulatos@fresno.gov

*Subject: Comments on Recirculated Fresno Southeast Development Area Specific Plan Project EIR (SCH NO. 2022020486)*

Dear Ms. Pagoulatos,

Thank you for the opportunity to comment on the Recirculated Program Environmental Impact Report (EIR) for the proposed Recirculated Fresno Southeast Development Area Specific Plan Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

**1.0 Summary**

The proposed project is a Specific Plan (SP) for the Southeast Development Area (SEDA) formerly known as the Southeast Growth Area (SEGA). The mixed-use SEDA SP would permit residential, commercial, and employment generating uses. It has the potential to accommodate approximately 45,000 homes and 37,000 jobs within the nearly 9,000-acre planning area by the year 2050. 1
The EIR lists the following items as additional components of the project:

1. Phasing Plan: The Phasing Plan defines the required sequence of development for various areas within SEDA.
2. Infrastructure Financing Plan: The proposed project would include a Public Facilities Financing Plan to present a strategy and funding options for backbone infrastructure and public facilities, including roads, sewer, water, storm drainage, parks, and other public facilities.

Backbone infrastructure and public facilities required for development would be funded through a combination of public and private funding. The Public Facilities Financing Plan has been developed through a review of the SEDA Specific Plan, infrastructure studies, and coordination with the City.

3. Annexation: The proposed project requires annexation of Fresno County (County) lands into the City. LAFCo is a Responsible Agency under CEQA for the proposed project. LAFCo will consider the analysis contained in this EIR when considering the annexation of the project site into the City. Annexation will be strategic and proactive to facilitate infrastructure development by the City.
4. General Plan Amendment and Development Code Change: The proposed project would also amend the General Plan and Development Code to implement the land use and zoning described in the proposed project.

1 CONT

**1.4 Documents Incorporated by Reference**

The EIR states that the Southeast Development Area Specific Plan (SEDA SP) document itself (2023) is incorporated by reference. The SEDA SP *is* the proposed project and excluding it as an attachment for public review does not comply with CEQA's requirements for meaningful disclosure. Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the SEDA SP document contributes directly to analysis of the problem at hand. The EIR must be revised to include the SEDA SP document for review, analysis, and comment by the public and decision makers.

2

**2.0 Project Description**

The EIR is not clear regarding the proposed General Plan land use designations for the project site. Specifically, the EIR only provides exhibits that depict the Existing General Plan land use designations and the proposed SEDA SP land use designations, leaving the reader to assume that the proposed SEDA land uses *are* the new General Plan land use designations. It must be noted that the City's General Plan does not list any of the 10 proposed SEDA land use designations as existing land use designations. For example, SEDA's employment-focused land use designations are "Office Center" and "Flexible Research and Development." These land use designations do not exist in the City's General Plan, and neither do any of the other eight proposed land use designations. The City's General Plan also does not include a broad "Specific Plan" land use designation that would be applied to all parcels within any approved Specific Plan within the City. Therefore, all 10 land use designations proposed in the SEDA SP will be new additions to the General Plan and the EIR must be revised to include all text and exhibits that will be part of the revised General Plan and Development Code in order to comply with CEQA's requirements for meaningful disclosure and adequate informational documents (CEQA § 15121).

3

Further, the EIR impact analysis throughout the document relies on the notion that bus rapid transit (BRT) service will be expanded in Fresno to serve the project area (Kings Canyon), rendering several impact areas less than significant. However, the EIR does not provide any meaningful evidence to support the conclusion that the BRT expansion will actually be constructed. Most notably, the Fresno COG Long Range Transportation Plan[1] (LRTP) (2019-2050) does not include service to the SEDA SP area as a specific project. Table 2 - LRTP Project List within the LRTP only includes, "Project 6: Extend the Kings Canyon BRT corridor to Fancher Creek," and the Fancher Creek area is located north/west of the SEDA areas and not contiguous to it. Therefore, BRT service to the project area is not a funded commitment or project and is not planned to exist by 2050. The EIR must be revised to clarify this and update its impact analysis throughout the document.

3 CONT

Additionally, the EIR lists several items as "additional components" of the project that are not included for public review: Phasing Plan, Infrastructure Financing Plan, Annexation, and the above-mentioned General Plan Amendment and Development Code Change. These project components are necessary for the public to review as they directly inform the environmental analysis, such as Utilities and Service Systems, Hydrology and Water Quality, and Public Services. Excluding these project components as attachments for public review does not comply with CEQA's requirements for meaningful disclosure. Incorporation by reference (CEQA § 15150 (f)) is not appropriate as all project components contribute directly to analysis of the problem at hand. The EIR must be revised to include all project components for review, analysis, and comment by the public and decision makers.

4

**3.3 Air Quality, 3.6 Energy, and 3.8 Greenhouse Gas Emissions**

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. The EIR provides general information about the census tract's CalEnviroScreen scores but does not provide meaningful analysis regarding the health impacts and effects of severe pollution rates. This is in conflict with CEQA Guidelines Section 15131 (c), which requires that "Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR. If information on these factors is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project."

5

[1] https://www.fresnocog.org/wp-content/uploads/2021/10/Fresno-County-Regional-Long-Range-Transit-Plan-050519-RL-34.pdf

This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0[2], CalEPA's screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project spans multiple census tracts ((6019005904 (Temperance south of Church Street extending east to McCall); 6019001413 (Temperance north of Church Street extending north to Belmont); and 6019001500 (Temperance between Jensen and North extending west to Peach)) that rank significantly worse than the rest of the state in overall pollution burden and specific factors that directly contribute to pollution applied to the socioeconomic factors of the population. Census tract 6019005904 ranks in the 77th percentile for overall pollution burden, census tract 6019001413 ranks in the 57th percentile, and census tract 6019001500 ranks in the 100th percentile, meaning that it is among the most highly polluted census tracts in the state.

The project census tracts rank highly for ozone burden (6019005904 and 6019001413: 89th percentile; 6019001500: 85th percentile), particulate matter (PM) 2.5 burden (6019005904: 95th percentile; 6019001413 and 6019001500: 96th percentile), and diesel PM burden (6019001500: 65th percentile). All of these environmental factors are typically attributed to heavy truck activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at low levels of exposure[3]. The very small particles of diesel PM can reach deep into the lung, where they can contribute to a range of health problems. These include irritation to the eyes, throat and nose, heart and lung disease, and lung cancer[4].

5
CONT

The census tracts also bear more impacts from cleanup sites compared to the rest of the state (6019005904: 89th percentile; 6019001500: 98th percentile). Chemicals in the buildings, soil, or water at cleanup sites can move into nearby communities through the air or movement of water[5]. The census tracts also rank highly for impacts from toxic releases (6019005904: 70th percentile; 6019001413: 74th percentile; 6019001500: 95th percentile). People living near facilities that emit toxic releases may breathe contaminated air regularly or if contaminants are released during an accident[6].

The census tracts rank among the most severely impacted in several areas that impact water quality. Census tract 6019001500 rank in the 94th percentile for groundwater threats. People who live near contaminated groundwater may be exposed to chemicals moving from the soil into the air

[2] CalEnviroScreen 4.0 https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40
[3] OEHHA Ozone https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone
[4] OEHHA Diesel Particulate Matter https://oehha.ca.gov/calenviroscreen/indicator/diesel-particulate-matter
[5] OEHHA Cleanup Sites https://oehha.ca.gov/calenviroscreen/indicator/cleanup-sites
[6] OEHHA Toxic Releases https://oehha.ca.gov/calenviroscreen/indicator/toxic-releases-facilities

inside their homes[7]. Additionally, the project census tracts rank highly for drinking water impacts (6019005904: 99th percentile; 6019001413: 94th percentile; 6019001500: 100th percentile), which indicates that the project site ranks with the worst quality drinking water in the state. Poor communities and people in rural areas are exposed to contaminants in their drinking water more often than people in other parts of the state[8].

The census tracts also rank highly for solid waste facility impacts (6019005904: 70th percentile; 6019001500: 100th percentile), which can expose people to hazardous chemicals, release toxic gases into the air (even after these facilites are closed), and chemicals can leach into soil around the facility and pose a health risk to nearby populations[9]. Census tract 6019001500 ranks in the 100th percentile for hazardous waste impacts. Hazardous waste generators and facilities contribute to the contamination of air, water and soil near waste generators and facilities can harm the environment as well as people[10].

5
CONT

Further, the census tract is a diverse community including many Hispanic residents (6019005904: 32%; 6019001413: 46%; 6019001500: 75%), Asian-American residents (6019005904: 24%; 6019001413: 25%; 6019001500: 3%), and African-American residents (6019005904: 2%; 6019001413: 2%; 6019001500: 1%), whom are especially vulnerable to the impacts of pollution. The communities have a high rate of low educational attainment, meaning significant portions of the census tracts over age 25 has not attained a high school diploma (6019005904: 56%; 6019001413: 54%; 6019001500: 95%). The community also has a high rate of poverty, meaning significant portions of the households in the census tract have a total income before taxes that is less than the poverty level (6019001500: 94%). Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care[11]. Poor communities are often located in areas with high levels of pollution[12]. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution[13]. Living in poverty and low education levels are also an indication that residents may lack health insurance or access to medical care. Medical care is vital for the project census tracts as they rank significantly for the incidence of cardiovascular disease (6019001413: 55th percentile;

[7] OEHHA Groundwater Threats https://oehha.ca.gov/calenviroscreen/indicator/groundwater-threats
[8] OEHHA Drinking Water https://oehha.ca.gov/calenviroscreen/drinking-water
[9] OEHHA Solid Waste Facilities https://oehha.ca.gov/calenviroscreen/indicator/solid-waste-sites-and-facilities
[10] OEHHA Hazardous Waste Generators and Facilities https://oehha.ca.gov/calenviroscreen/indicator/hazardous-waste-generators-and-facilities
[11] OEHHA Poverty https://oehha.ca.gov/calenviroscreen/indicator/poverty
[12] Ibid.
[13] Ibid.

6019001500: 71st percentile) and the incidence of asthma (6019001413: 55th percentile; 6019001500: 93rd percentile). The communities also have a high rate of linguistic isolation, meaning significant portions of residents in the census tracts speak little to no English and faces further inequities as a result (6019005904: 49%; 6019001413: 50%; 6019001500: 70%).

Additionally, the proposed project's census tracts (6019001413 and 6019001500) are identified as SB 535 Disadvantaged Communities[14]. This indicates that cumulative impacts of development and environmental impacts in the area are disproportionately impacting these communities. The EIR does not discuss that the project site and surrounding area are disadvantaged communities and does not utilize this information in its analysis. The EIR has not considered the project's significant and unavoidable cumulatively considerable environmental impacts in relation to the SB 535 status of the project census tracts and surrounding area. The negative environmental, health, and quality of life impacts in the City have become distinctly inequitable. The severity of environmental impacts particularly on these Disadvantaged Communities must be included for analysis as part of a revised EIR.

5 CONT

The State of California lists three approved compliance modeling softwares[15] for non-residential buildings: CBECC-Com, EnergyPro, and IES VE. CalEEMod and EMFAC are not listed as approved softwares. The CalEEMod/EMFAC and spreadsheet-based modeling does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using one of the approved software types must be prepared and circulated for public review in order to adequately analyze the project's significant environmental impacts. This is vital as the EIR utilizes CalEEMod/EMFAC as sources in its methodology and analysis, which are clearly not approved softwares.

6

**3.9 Hazards and Hazardous Materials**

The EIR states that, "According to the Fresno Yosemite International Airport Safety Compatibility Zones Map, a small portion of the Plan Area is located within the 60 dB CNEL contour. A Larger portion of the Plan Area is located within the Traffic Pattern Zone." The EIR concludes that, "The ALUC found the proposed project to be consistent with the ALUCP on August 7, 2023. Therefore, at the programmatic level, impacts to the Plan Area would be less than significant. Consistent with the General Plan and SEDA Specific Plan policies, individual development projects would be

7

[14] OEHHA SB 535 Census Tracts https://oehha.ca.gov/calenviroscreen/sb535
[15] California Energy Commission 2022 Energy Code Compliance Software https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1

required to undergo project-specific environmental review, which may require additional site-specific or project-specific airport land use compatibility measures to reduce any potential impacts and ensure that impacts remain less than significant."

However, the EIR has not provided any meaningful evidence or analysis to support the claim that the impacts are less than significant. Notably, the Fresno County Airport Land Use Commission (FC ALUC) review document is not included as an attachment for public review in compliance with CEQA's requirements for meaningful disclosure. Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the FC ALUC review document contributes directly to analysis of the problem at hand. The EIR must be revised to include the FC ALUC review document for review, analysis, and comment by the public and decision makers.

Additionally, based on the August 7, 2023 FC ALUC meeting agenda[16], attachments[17]/[18], and minutes[19] of the meeting, the FC ALUC only reviewed the SEDA Specific Plan. The FC ALUC did not explicitly review or take action on all aspects of the project, including the required General Plan Amendment and Development Code Change required to implement the proposed project. The California Airport Land Use Planning Handbook[20] states that Airport Land Use Commission review is required "Prior to the amendment of a general plan or specific plan, or the adoption of a zoning ordinance or building regulation within the ALUCP planning boundary, the ALUC shall review the plan, ordinance, or regulation for consistency with the ALUCP (PUC Section 21676(b))." Given that the proposed project includes General Plan Amendment and Development Code Change to proceed, FC ALUC review of all associated actions is required. As stated above in the Project Description analysis, the EIR has not provided the new text or exhibits to be included in the revised General Plan associated with the 10 new land use designations created by the proposed project, or the new text of the development code. Therefore, the FC ALUC has not reviewed the required General Plan Amendment and a revised EIR must be prepared to include a finding of significance.

7
CONT

[16] August 7, 2023 FC ALUC meeting agenda https://agendas2011-24.fresnocog.org/agenda/read/785
[17] August 7, 2023 FC ALUC attachment for SEDA project https://agendas2011-24.fresnocog.org/itemAttachments/785/SEDA_-_ALUC_Submittal_-_7.24_.23_.pdf
[18] August 7, 2023 FC ALUC attachment for SEDA project https://agendas2011-24.fresnocog.org/itemAttachments/785/SEDA_-_FAT_Influence_Areas.pdf
[19] August 7, 2023 FC ALUC meeting minutes https://agendas2011-24.fresnocog.org/itemAttachments/794/080723_ALUC_Action_Summary.pdf
[20] California Airport Land Use Planning Handbook https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf

**3.11 Land Use and Planning**

It must be noted that the EIR does not accurately characterize or analyze the permitted use types within each land use designation of the SEDA SP[21]. For example, SEDA SP Policy EO-2.1 states, "Promote industry clusters that build on Fresno's local strengths. The SEDA Plan presents opportunities for each of the following clusters: Advanced Manufacturing, Clean Energy, Construction, Food Processing, Healthcare, Information Processing, **Logistics & Distribution**, Software Development, Tourism, and Water Technology. This list may evolve as Fresno grows and changes." The EIR does not discuss or analyze the possibility of logistics and distribution uses in any of the proposed land use designations. The EIR is inadequate as an informational document and must be revised to accurately list all permitted/conditionally permitted uses within each land use designation and update all associated impact analysis.

The EIR is not clear regarding the proposed General Plan land use designations for the project site. Specifically, the EIR only provides exhibits that depict the Existing General Plan land use designations and the proposed SEDA SP land use designations, leaving the reader to assume that the proposed SEDA land uses *are* the new General Plan land use designations. It must be noted that the City's General Plan does not list any of the 10 proposed SEDA land use designations as existing land use designations. For example, SEDA's employment-focused land use designations are "Office Center" and "Flexible Research and Development." These land use designations do not exist in the City's General Plan, and neither do any of the other eight proposed land use designations. The City's General Plan also does not include a broad "Specific Plan" land use designation that would be applied to all parcels within any approved Specific Plan within the City. Therefore, all 10 land use designations proposed in the SEDA SP will be new additions to the General Plan and the EIR must be revised to include all text and exhibits that will be part of the revised General Plan and Development Code in order to comply with CEQA's requirements for meaningful disclosure and adequate informational documents (CEQA § 15121). 8

Additionally, the EIR does not provide adequate information to determine the project's compliance or noncompliance with statutory requirements of the Housing Crisis Act (HCA) of 2019/Senate Bill (SB) 330[22]/SB 8[23]. The HCA/SB 330/SB 8 require replacement housing sites when land designated for housing development experience land use changes to ensure no net loss of housing capacity. 9

[21] SEDA SP https://www.fresno.gov/wp-content/uploads/2023/07/Draft-SEDA-Specific-Plan.pdf
[22] Housing Crisis Act of 2019/SB 330 https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330
[23] SB 8 https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB8

Government Code Section 66300(b)(1)(A) requires that agencies shall not "change the general plan land use designation, specific plan land use designation, or zoning to a less intensive use below what was allowed under the land use designation and zoning ordinances in effect at the time of the proposed change." Under Government Code Section 66300(b)(1)(A), a "less intensive use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce residential development capacity. Pursuant to SB 330, replacement capacity for any displaced residential units must be provided **concurrently** at the **time of project approval**. 9 CONT

Government Code Section 66300 (h)(i)(1) states that, "this section does not prohibit an affected county or an affected city, including the local electorate acting through the initiative process, from changing a land use designation or zoning ordinance to a less intensive use, or reducing the intensity of land use, if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity." The EIR is inadequate in that it does not provide the acreage of each existing General Plan land use designation within the project area. The total acreage for each existing General Plan land use designation is necessary to calculate the existing total residential development capacity to ensure there is no net loss of capacity. The EIR must be revised to include this information for analysis. 10

**3.14 Population and Housing**

The EIR states that, "According to General Plan Tables 1-3 (Residential Development Capacity at General Plan Horizon) and 1-4 (Residential Development Capacity at General Plan Buildout, the proposed project would generate up to 14,900 dwelling units at General Plan Horizon and an additional 25,000 at buildout occurring sometime after 2050, for a total of 45,000 new dwelling units, comprising approximately 31 percent of the total planned capacity for the City. Buildout of the proposed project is considered planned growth and would provide housing to meet the demand for new residential units." However, this statement does not accurately reflect General Plan Tables 1-3 and 1-4. According to the General Plan, the project site is located within Development Areas (DA) DA-3 Southeast and DA-4 East. General Plan Tables 1-3 and 1-4 provide the following buildout information for DA-3 and DA-4: 11

Table 1-3: Residential Development Capacity Under General Plan Horizon (2035)

*DA-3 Southeast*

Type of Dwelling Unit (DU)

Multi-Family/Townhouse: 2,500 DU

SFD: 3,500 DU

Total: 6,000 DU
*Location*
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 6,000 DU

*DA-4 East*
Type of DU
MF/Townhouse: 5,100 DU
SFD: 3,800 DU
*Location*
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 8,900 DU
Total General Plan Horizon (2035) = 14,900 DU

Table 1-4: Residential Development Capacity Under Buildout (2056)
*DA-3 Southeast*
Location
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 9,092 DU

*DA-4 East*
Location
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 35,008 DU

Total General Plan Buildout (2056) = 44,100 DU

11
CONT

The EIR states that the General Plan provides for, "up to 14,900 dwelling units at General Plan Horizon and an additional 25,000 at buildout occurring sometime after 2050, for a total of 45,000 new dwelling units." However, the sum of 14,900 DU and 25,000 DU is 39,900 DU, which is 5,100 DU fewer than the proposed project. It must be noted that the General Plan excludes the specific date of total buildout, but the 2019 EIR for the General Plan Update[24] clearly identifies the total buildout year as 2056.

As shown above, the General Plan accommodates a cumulative total of 44,100 DU on the project site from General Plan adoption through 2056. This is 900 DU fewer than the 45,000 DU proposed by the project. The proposed project exceeds the cumulative General Plan buildout scenario through 2056 and the EIR must be revised to disclose this with a finding of significance.

[24] https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-GP-Public-Review-Draft-Program-EIR.pdf

A revised EIR must also provide a cumulative analysis of projects approved and "in the pipeline" to provide an adequate and accurate analysis to determine if the project will exceed Fresno COG's employment and population growth forecasts, and all projects approved since 2014 and projects "in the pipeline" to provide an adequate and accurate analysis to determine if the project will exceed the City's General Plan employment and population growth forecasts. For example, the General Plan includes Table 1-5: Population Estimate Under Horizon and Buildout that depicts the City will add 226,000 residents by horizon year 2035 and a cumulative total of 425,000 residents by General Plan buildout in 2056. The EIR's estimated 134,550 residents accounts for 59.5% of horizon population buildout (2035), 31.6% of total General Plan population buildout (2056), and 67.5% of the population increase from 2035 to 2056. This is a significant amount of growth attributable to a single project. The EIR has not prepared an adequate cumulative analysis to determine the City's progress towards these buildout scenarios and a revised EIR must be prepared with this information in order to provide an adequate and accurate environmental analysis.

12

The EIR states that, "new development would be required to address potential environmental impacts as part of individual project review. As such, cumulative development would not induce substantial unplanned population growth, either directly or indirectly. Because cumulative projects would comply with all applicable land use plans to provide adequate development within a jurisdiction, cumulative impacts would be less than significant." This statement is misleading and erroneous as CEQA provides several options to exempt future projects from environmental review. New development would not be required to address potential environmental impacts as part of individual project review. New residential development proposed pursuant to the SEDA SP is statutorily exempt from CEQA due to the adoption of a Program EIR. Specifically, CEQA Guidelines Section 15168 (c)(2) states regarding later activities that, "If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required." CEQA Guidelines Section 15182 exempts "residential, commercial and mixed-use projects that are consistent with a specific plan." CEQA Guidelines Section 15182 (c) exempts residential projects so long as no new information has been presented pursuant to Section 15162. Additionally, CEQA Guidelines Section 15168 (b)(2) provides a list of advantages for developing a Program EIR as, "Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis." Therefore, the EIR's reliance upon delayed/future CEQA review as part of individual project review is not adequate or accurate and does not support a less than significant finding. The EIR must be revised to remove these statements and provide a finding of significance.

**3.17 Transportation and Traffic**

The EIR has not provided any consistency analysis with the Fresno Council of Governments (COG) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)[25]. Due to errors in modeling, modeling without supporting evidence, and the EIR's conclusion the project will result in significant and unavoidable cumulatively considerable impacts to Air Quality, the proposed project has signifiant potential for inconsistency with Goal 2: Vibrant communities that are accessible by sustainable transportation options, Policy 4: Encourage alternatives to single-occupancy vehicles that reduce vehicle miles traveled (VMT) and greenhouse gas emissions, and Policy 6: Encourage sustainable development that focuses growth near activity centers and mobility options that achieve greater location efficiency. Portions of the project site is also identified as an Environmental Justice area[26] in Fresno COG's 2022 RTP/SCS. Since the project requires a General Plan Amendment to the land use designations on the project site to proceed, it was clearly not accounted for or analyzed by the 2022 RTP/SCS. A revised EIR must be prepared to accurately analyze and disclose the inconsistency with the 2022 RTP/SCS document with a finding of significance. 13

Further, the EIR impact analysis relies on the notion that bus rapid transit (BRT) service will be expanded in Fresno to serve the project area (Kings Canyon), rendering several impact areas less than significant. However, the EIR does not provide any meaningful evidence to support the conclusion that the BRT expansion will actually be constructed. Most notably, the Fresno COG Long Range Transportation Plan[27] (LRTP) (2019-2050) does not include service to the SEDA SP area as a specific project. Table 2 - LRTP Project List within the LRTP only includes, "Project 6: Extend the Kings Canyon BRT corridor to Fancher Creek," and the Fancher Creek area is located north/west of the SEDA areas and not contiguous to it. Therefore, BRT service to the project area is not a funded commitment or project and is not planned to exist by 2050. The EIR must be revised to clarify this and update its impact analysis throughout the document. 14

**4.2 Growth-Inducing Impacts**

The EIR has excluded for discussion for the precedence setting action that approval of the required General Plan Amendment and Development Code Change set for future changes in the City. The EIR must be revised to include a finding of significance as the required GPA/Development Code Change to implement the project will result in significant and unavoidable cumulatively 15

[25] Fresno COG 2022 RTP/SCS https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/
[26] Environmental Justice Chapter of 2022 Fresno COG RTP/SCS https://www.planfresno.com/planfresno/uploads/2022/06/Chapter-7-Environmental-Justice-Final-Draft.pdf
[27] https://www.fresnocog.org/wp-content/uploads/2021/10/Fresno-County-Regional-Long-Range-Transit-Plan-050519-RL-34.pdf

considerable impacts to Aesthetics, Agricultural Resources, Air Quality, and Noise, and approval of the proposed project will set precedent for approval of other projects with significant and unavoidable impacts that require changes in land use designations and will encourage and facilitate other activities that will have significant negative impacts to the environment. The EIR must be revised to disclose this information and provide a finding of significance.

The EIR has excluded discussion of the precedence setting action that approval of the required General Plan Amendment and Development Code Change set for future changes in the City. The EIR does not analyze that the project will create 10 new General Plan land use designations that can be applied to any property in the City. The EIR must be revised to disclose this information and provide a finding of significance.

The EIR states that, "According to General Plan Tables 1-3 (Residential Development Capacity at General Plan Horizon) and 1-4 (Residential Development Capacity at General Plan Buildout, the proposed project would generate up to 14,900 dwelling units at General Plan Horizon and an additional 25,000 at buildout occurring sometime after 2050, for a total of 45,000 new dwelling units, comprising approximately 31 percent of the total planned capacity for the City. Buildout of the proposed project is considered planned growth and would provide housing to meet the demand for new residential units." However, this statement does not accurately reflect General Plan Tables 1-3 and 1-4. According to the General Plan, the project site is located within Development Areas (DA) DA-3 Southeast and DA-4 East. General Plan Tables 1-3 and 1-4 provide the following buildout information for DA-3 and DA-4: 15 CONT

Table 1-3: Residential Development Capacity Under General Plan Horizon (2035)
*DA-3 Southeast*
Type of Dwelling Unit (DU)
Multi-Family/Townhouse: 2,500 DU
SFD: 3,500 DU
Total: 6,000 DU
*Location*
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 6,000 DU

*DA-4 East*
Type of DU
MF/Townhouse: 5,100 DU
SFD: 3,800 DU
*Location*
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 8,900 DU

Total General Plan Horizon (2035) = 14,900 DU

Table 1-4: Residential Development Capacity Under Buildout (2056)
*DA-3 Southeast*
Location
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 9,092 DU

*DA-4 East*
Location
City Limits: 0
Development on Sites in Growth Areas Requiring Annexation: 35,008 DU

Total General Plan Buildout (2056) = 44,100 DU

15 CONT

The EIR states that the General Plan provides for, "up to 14,900 dwelling units at General Plan Horizon and an additional 25,000 at buildout occurring sometime after 2050, for a total of 45,000 new dwelling units." However, the sum of 14,900 DU and 25,000 DU is 39,900 DU, which is 5,100 DU fewer than the proposed project. It must be noted that the General Plan excludes the specific date of total buildout, but the 2019 EIR for the General Plan Update[28] clearly identifies the total buildout year as 2056.

As shown above, the General Plan accommodates a cumulative total of 44,100 DU on the project site from General Plan adoption through 2056. This is 900 DU fewer than the 45,000 DU proposed by the project. The proposed project exceeds the cumulative General Plan buildout scenario through 2056 and the EIR must be revised to disclose this with a finding of significance.
The EIR must also be

A revised EIR must also provide a cumulative analysis of projects approved and "in the pipeline" to provide an adequate and accurate analysis to determine if the project will exceed Fresno COG's employment and population growth forecasts, and all projects approved since 2014 and projects "in the pipeline" to provide an adequate and accurate analysis to determine if the project will exceed the City's General Plan employment and population growth forecasts. For example, the General Plan includes Table 1-5: Population Estimate Under Horizon and Buildout that depicts the City will add 226,000 residents by horizon year 2035 and a cumulative total of 425,000 residents by General Plan buildout in 2056. The EIR's estimated 134,550 residents accounts for 59.5% of horizon population buildout (2035), 31.6% of total General Plan population buildout

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[28] https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-GP-Public-Review-Draft-Program-EIR.pdf

(2056), and 67.5% of the population increase from 2035 to 2056. This is a significant amount of growth attributable to a single project. The EIR has not prepared an adequate cumulative analysis to determine the City's progress towards these buildout scenarios and a revised EIR must be prepared with this information in order to provide an adequate and accurate environmental analysis.

16 CONT

**4.3 Mandatory Findings of Significance**

The EIR concludes that the proposed project will have a less than significant impact regarding Mandatory Finding of Significance Threshold 3: "The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." The EIR states that, "Compliance with and implementation of mitigation measures, existing regulations, and the City's standard permit conditions would ensure that the proposed project, and future development consistent with the proposed project, would not result in substantial adverse effects on human beings, including effects related to air pollution, seismic and geologic hazards, hazardous materials, flooding and natural disasters, or noise and vibration. Therefore, impacts associated with the proposed project would be less than significant."

However, this analysis fails to account for the project's significant and unavoidable cumulatively considerable impact for Threshold AIR-3: Project-level Sensitive Receptors Exposure to Pollutant Concentrations. Regarding this signifiant impact, the EIR states that proposed mitigation would reduce impacts to the extent feasible, but, "the proposed project would result in the future development of numerous projects, each contributing incrementally to air emissions affecting sensitive receptors. Thus, it is possible that the proposed project would result in cumulatively significant impacts to sensitive receptors, even if individual projects were each less than significant. This is particularly likely since none of the measures herein would prevent multiple development projects from being constructed concurrently within close proximity to sensitive receptors in such a manner as to cause substantial concentrations within the area. Further, neither the amount of construction occurring nor the exact location within the Plan Area is foreseeable and, as such, it cannot be determined whether the resultant construction emissions could be adequately controlled or reduced to below regulatory thresholds. Without such information, it is not possible to conclude that air pollutant emissions resulting from construction activities would be adequately reduced to the point that sensitive receptors are not exposed to substantial concentrations of air pollutants, and thus a significant and unavoidable impact may result." The EIR is internally inconsistent as it does not acknowledge this impact in the Mandatory Findings. The EIR must be revised to include this information for analysis and provide a finding of significance.

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**5.0 Alternatives**

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project/No Build" alternative and only two others - Consolidated Business Park Alternative and Farmland Conservation Alternative. The EIR does not evaluate a reasonable range of alternatives as only two alternatives beyond the required No Project alternative are analyzed. The EIR does not include an alternative eliminates any of the project's significant and unavoidable impacts. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a project that eliminates all of the proposed project's significant and unavoidable impacts to less than significant levels while meeting all project objectives. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). 18

**Conclusion**

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

Sincerely,



Vashon Simien
Blum, Collins & Ho, LLP

Attachments:

1. SWAPE Technical Analysis

### *Golden State Environmental Justice Alliance (GSEJA)*

Please note that due to the volume of this comment letter, only the comment letter is reproduced in this section of the Final PEIR, and the full letter with the attached appendices are included in Appendix A of the Final PEIR. The attached appendices were reviewed in preparation of the Final PEIR and responded to in *Response to GSEJA-19*.

*Response to GSEJA-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to GSEJA-2*
The comment is noted. The information required in draft EIRs is set forth in State CEQA Guidelines Sections 15122–15131. There is no requirement in the Public Resources Code or the State CEQA Guidelines that requires a specific plan to be included in the Draft EIR's attachments as requested by comment. Nor does Section 15050(f) establish a limit on the type of document that can be incorporated by reference. As clearly stated in Section 1.4, Documents Incorporated by Reference, the City ensured access to, and visibility of, the Specific Plan at the City of Fresno Planning and Development Department throughout the public review process. Accordingly, the Specific Plan was available for review, analysis and comment by the public and decision-makers.

*Response to GSEJA-3*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan design or policies are not further addressed in the Final PEIR.

Section 2.2.4 in Chapter 2, Project Description, of the Recirculated Draft PEIR includes the existing General Plan designations in the Plan Area. Furthermore, exhibit 3-11.1 summarizes the existing General Plan land use designations and zoning in the Plan Area. Chapter 2, Project Description, Exhibit 2-2, depicts the proposed land use designations for the Plan Area. Both the General Plan and the Specific Plan are publicly available for review. No further response is required.

Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR, includes Specific Plan policies that guides and discloses planned development related to Bus Rapid Transit (BRT). Policy UF-5.2 discusses that Bus Rapid Transit (BRT) extension study including planning, design, and environmental analysis should be completed to evaluate the potential costs and benefits of extending the BRT to the Plan Area. Policy UF-5.6 provides performance standards and evaluation for BRT in the Plan Area. In addition, with the incorporation of multimodal strategies, the proposed project incorporates a

comprehensive transportation network designed to reduce vehicle dependence, including integration with regional transit systems, including planned BRT routes.

*Response to GSEJA-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. Furthermore, as discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facility would be less than significant impact with mitigation incorporated. No further response is required.

*Response to GSEJA-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. As discussed in this Master Response, the lead agency will consider these factors in making a decision on project approval; however, the scope of the Recirculated Draft PEIR focuses on potential adverse physical impacts to the environment associated with the proposed project. The comment largely discusses environmental justice and climate change issues, which are not identified thresholds of significance.

CEQA Guidelines Section 15131 provides guidance on economic and social effects, specifically that information on economic and social effects may be included in an EIR or may be presented in whatever form the Lead Agency desires. Section 15131(c) states the Lead Agencies should consider economic, social, and housing factors to identify if there are any design features or changes to the project to reduce a significant impact, and that this information can be added anywhere in the administrative record for the proposed project. The Recirculated Draft PEIR found significant and unavoidable impacts related to aesthetics, air quality, agriculture, and noise. The commenter misconstrues the objective of the guideline and does not provide any meaningful suggested change to the proposed project that would reduce a significant and unavoidable impact that requires the consideration of social and economic effects. Instead, the commenter incorrectly suggests that it mandates the further discussion of health impacts in the Recirculated Draft PEIR in the context of an impact outside of the significance threshold utilized in the Recirculated Draft PEIR. As stated above, the Recirculated Draft PEIR is a program-level document, which does not contemplate any specific development, so it appropriately analyzes environmental impacts at a program level. Moreover, Section 3.3, Air Quality, of the Recirculated Draft PEIR, provides a full description of the health effects of toxic air contaminants in the section, Toxic Air Contaminants Health Effects, starting on page 3.3-17 of the Recirculated Draft PEIR.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to GSEJA-6*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice.

Furthermore, the commenter does not provide substantial evidence regarding any significant environmental impact that was not evaluated and disclosed in the Recirculated Draft PEIR. The basis for the commenter's assertion that CalEEMod is "not approved" is unclear and unsubstantiated. Additionally, the commenter does not identify any project-specific impact that the Recirculated Draft PEIR failed to consider and disclose.

Use of CalEEMod for purposes of modeling potential air quality and related health risk assessments is appropriate. As detailed more fully in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the City, in its discretion as Lead Agency, has determined to utilize the applicable SJVAPCD thresholds and methodologies, which are contained under each impact statement in Section 3.3 and are based on scientific and factual data appropriately considered and incorporated therein by SJVAPCD, as the expert regulatory public agency charged with addressing air quality and GHG emissions within SJVAPCD boundaries.

Specifically, the City utilized approved models from the SJVAPCD, which is the authority for this air basin, the expert agency with respect to air emissions and which directed that CalEEMod be used. CalEEMod is a Statewide land use emissions computer model designed to provide a uniform platform to calculate construction and operational emissions from land use development projects, such as the proposed project. CalEEMod was developed for CAPCOA in collaboration with the California Air Districts. The model is a comprehensive tool for quantifying air quality impacts from land use projects located throughout California, is used throughout California, and can properly be used for a variety of situations where an air quality analysis is necessary, such as preparing CEQA or National Environmental Policy Act (NEPA) documents, conducting pre-project planning, and verifying compliance with local air quality rules and regulations. CalEEMod includes the gas and electric utility emissions factors pursuant to the location of the proposed project, as well as building energy zones. CalEEMod also generates default electricity and natural gas consumption that consider Title 24 standards.

The commenter referenced CBECC, EnergyPro, IES VE software, which are approved specifically for Title 24 compliance; however, they are used to confirm that a final building design (with detailed information included in its construction drawings) is Title 24 compliant. They are not required or appropriate for the purposes of conducting air quality analysis under CEQA prior to the submission of final designs.

The proposed project is a programmatic policy-level document that does not approve or entitle any specific development. Therefore, it is not possible to evaluate Title 24 compliance for any final designs, and future development would be required to evaluate potential environmental impacts and Title 24 compliance, as applicable. These software are not used for disclosing air emissions, and there is no substantial evidence provided that supports the commenter's position that these software should be used for discussing air emissions in connection with the proposed project (e.g., Maintain Our Desert Env't v. Town of Apple Valley (2004) 124 Cal.App.4th430).

The City has the authority under CEQA to rely upon its experts and the methodologies recommended by relevant expert public agencies, based on substantial evidence in the record, in terms of selecting the appropriate methodologies to utilize in conducting the CEQA analysis.

The Recirculated Draft PEIR and underlying technical studies correctly used CalEEMod to estimate energy demand for CEQA purposes based on average intensity factors for similar land use types. Since the proposed project is a programmatic policy-level document, detailed information about the future projects' energy use is also not available at this time, it is appropriate to rely upon the CalEEMod default assumptions, which have been derived by CAPCOA and accepted by the SJVAPCD. To do otherwise would involve improper speculation.

There is no requirement in CEQA to show specific compliance with 2022 Building Energy Efficiency Standards based on conceptual building designs that are proposed at the entitlement stage of a project's approval process. As is consistent with typical practice, a required showing of compliance with the above-referenced Energy-Efficient Standards as well as other applicable building code and CALGreen Code requirements would be addressed pursuant to State law prior to issuance of each building permit and verified by the City's Building Safety Division.

For the reasons set forth above and as otherwise detailed therein, the Draft EIR contains sufficient analysis and disclosure with respect to all relevant environmental topic areas, and no changes are warranted. The commenter does not raise a legitimate issue related to the adequacy of the Recirculated Draft PEIR. No changes are warranted, and no further response is necessary.

*Response to GSEJA-7*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Future development will appropriately be reviewed for impacts to the airport compatibility zone for the Fresno Yosemite International Airport.

Please note that the Fresno County Airport Land Use Commission was consulted with in August 2023 and recommended a finding of consistency. However, note that the Recirculated Draft PEIR and the Final PEIR are focused on evaluating and responding to comments on physical impacts to the environment as a result of buildout of the Specific Plan. As such, comments related to review of the Specific Plan document itself are not further responded to in the Final EIR. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

*Response to GSEJA-8*
The comment is noted. Please note that the Recirculated Draft PEIR identified that a General Plan Amendment would be required in Chapter 2, Project Description. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Specifically, they address why comments specific to the Specific Plan document, including the proposed policies, objectives, and land uses, are not further addressed in the Final PEIR. However, this comment will be passed to City decision-makers for further consideration. No further response is required.

*Response to GSEJA-9*
As noted by comment, pursuant to SB 330, replacement capacity for displaced residential units must be provided concurrently at the time of project approval. The City will be required to demonstrate compliance with applicable provisions of the Government Code prior to project approval; however, an EIR does not contemplate specific development projects The analysis in the Recirculated Draft EIR appropriately focuses on potential adverse environmental impacts on the physical environment associated with the proposed project. No revisions to the Recirculated Draft EIR are necessary in response to this request for additional information related to Government Code requirements.

*Response to GSEJA-10*
The comment fails to identify any potential adverse impact to the physical environment associated with the requested discussion of “no net loss”. There is no evidence provided as part of the

comment that the total residential development capacity would provide information related to a potential physical impact. Moreover, Chapter 2, Project Description, includes the acreage and clear boundary of the Specific Plan Area. The General Plan, its land uses, and the acreages of each land use are publicly available both online and at the addresses provided for in-person review of the Specific Plan and Recirculated Draft PEIR. Section 3.11, Land Use, provides a consistency analysis with applicable plans, which includes the General Plan, and Section 3.14, Population and Housing, provides an analysis of whether the proposed project would result in unplanned growth. The Recirculated Draft PEIR found less than significant impacts for both land use and population and housing impacts.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. As discussed in this Master Response, the lead agency will consider these factors in making a decision on project approval; however, the scope of the Recirculated Draft PEIR focuses on potential adverse physical impacts to the environment associated with the proposed project.

*Response to GSEJA-11*
The comment is noted. The comment appears to allege that Impact POP-1 should be significant. However, the comment misinterprets the analysis regarding Impact POP-1 and fails to consider the totality of evidence supporting the Recirculated Draft EIR's conclusion that impacts are less than significant. Housing units identified in the General Plan is only one consideration in determining whether a proposed project would induce substantial unplanned population growth. As discussed in the Recirculated Draft EIR, the proposed project would not introduce substantial unplanned population growth for all of the following reasons: the proposed project could accommodate up to 134,550 residents, which would be well within the General Plan's anticipated growth of up to 226,000 additional residents; the proposed project would provide up to 45,000 new dwelling units to meet the housing demand associated with up to 134,500 residents (assuming 2.99 persons per household); the proposed project is generally consistent with the principal goals and objectives established in the General Plan and 2023-2031 Housing Element (see Table 3.11-1); the proposed project is consistent with Economic Opportunity Objectives ED-1, -2, -3 and -4 that seek to promote employment growth; implementation of the proposed project would support citywide planning efforts; as shown in Table 3.14-1, the proposed project would promote a balance of jobs and housing in the Plan Area, consistent with the General Plan. Therefore, the record contains substantial evidence to demonstrate that the proposed project would be consistent with the citywide planning objectives and would not be considered unplanned growth. As a result, impacts to population growth associated with potential future development under the proposed project would be less than significant.

The population projections described above are consistent with the population projections and methodology found within the City's General Plan and utilize the best data available at the time this analysis was prepared. This approach is consistent with requirements to maintain consistency with the General Plan and the City may appropriately consider this information when determining whether the proposed project would induce unplanned growth.

Finally, the comment fails to identify any substantial evidence of related to a potential significant impact or identify a significant environmental issue that was not addressed in the Recirculated Draft EIR.

*Response to GSEJA-12*
Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Furthermore, while various streamlining options are available to exempt projects from CEQA, discretionary projects must prove that they qualify for an exemption pursuant to CEQA and that no exceptions to these categorical exemptions are triggered as outlined in CEQA Guidelines Section 15300.2. Therefore, each future discretionary project would be required to evaluate cumulative impacts, potential significant effects, and impacts related to scenic highways, hazardous waste sites, and historic resources, consistent with the findings of the Recirculated Draft PEIR.

Each topical section included in the Recirculated Draft PEIR analyzed the cumulative impacts in its own section titled "Cumulative Impacts." This analysis evaluates whether impacts of the Specific Plan, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to each environmental topic area. This analysis then considers whether incremental contribution of the impacts associated with implementation of the Specific Plan would be significant. Both conditions must apply for cumulative effects to rise to the level of significance. Each topical section identifies the scope for cumulative analysis and identifies how cumulative impacts were determine based on that specific topical area. The comment does not identify a specific topical area where the cumulative impacts analysis is deficient. No further response is required.

*Response to GSEJA-13*
The comment is noted. The proposed project's consistency with the Regional Transportation Plan (RTP) prepared by the Fresno Council of Governments (Fresno COG) is discussed in Section 3.6, Energy, Section 3.8, Greenhouse Gas Emissions, and Section 3.17, Transportation and Traffic. As discussed in the Recirculated Draft PEIR, average VMT per capita under existing conditions for the City is 13.1 miles compared to 16.2 miles for the County of Fresno (approximately 19 percent less than the county average). Through the implementation of the General Plan, in 2035, the City VMT per capita (16.5 miles) is forecast to be 17 percent less than the County VMT per capita (19.9 miles). Corresponding numbers for VMT per employee indicate that the City average is forecast to be 13 percent lower than the 2035 County average. This is a greater reduction in VMT than forecast by the Fresno COG in the RTP, a 12 percent reduction in VMT for the RTP project. The buildout of the proposed project would serve to further reduce VMT per capita in the region by locating high-density housing near service amenities and jobs. As such, the proposed project is appropriately analyzed for consistency with the RTP. No further response is required.

*Response to GSEJA-14*
The comment is noted. Please refer *to Response to GSEJA-3*. No further response is required.

*Response to GSEJA-15*
The comment is noted. The analysis included in the Recirculated Draft PEIR evaluates the proposed project, which includes the entitlements and discretionary approvals required to implement the proposed project. In Chapter 2, Project Description, of the Recirculated Draft PEIR, the discretionary approvals required for the proposed project are listed. Of the discretionary approvals listed, an Amendment of the Fresno General Plan, including amendments to the Land Use Map and text, and a Text Amendment of the Development Code to incorporate new zone districts and other provisions called for in the SEDA Plan. As such, these actions were evaluated within the Recirculated Draft PEIR throughout the various topical areas and all significant and unavoidable program-level and cumulative impacts are disclosed. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. Please also refer to *Response to GSEJA-11*. No further response is required.

*Response to GSEJA-16*
The comment is noted. Please refer to *Response to GSEJA-12*. Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

*Response to GSEJA-17*
Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the Recirculated Draft PEIR.

The "Mandatory Findings of Significance" establish when an EIR must be prepared. Pub Res Code §21083(b); State CEQA Guidelines §15065(a). Here, an EIR was prepared for the proposed project consistent with the intent of Section 21083(b) and 15065. Potential effects on human beings were discussed throughout the Recirculated Draft EIR. There is no requirement in CEQA that a specific "finding" be made once an EIR has been prepared.

*Response to GSEJA-18*
The comment is noted. As discussed in Chapter 5, Alternatives to the Proposed Project, of the Recirculated Draft PEIR, in accordance with CEQA Guidelines Section 15126.6, the Recirculated Draft PEIR contains a comparative impact assessment of alternatives to the proposed project. The primary purpose of the section is to provide decision-makers and the general public with a reasonable number of feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects. Important considerations for the alternatives analyses are noted below (as stated in CEQA Guidelines § 15126.6).

- An EIR need not consider every conceivable alternative to a project;

- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental effects.

Therefore, the Recirculated Draft PEIR appropriately analyses alternatives that address the significant impacts identified in the analysis. Alternative 1, the No Project Alterative, is included consistent with CEQA Guidelines. Alternative 2, Consolidated Business Park Alternative, evaluates a slightly less dense residential development. However, the significant and unavoidable impacts related to aesthetics, light, and glare; agricultural resources and forestry resources; air quality; and noise would remain significant and unavoidable. Alternative 3, Farmland Conservation Alternative, evaluates whether the alternative would help address significant and unavoidable impacts related to agriculture resources. As discussed in the Recirculated Draft PEIR, the project as proposed does already meet the objectives identified for the proposed project. No further response is required.

*Response to GSEJA-19*
The comment is noted. This comment includes the appendices included in GSEJA. The findings and information provided in these appendices are discussed within the body of the comment letter, and thus, are responded to in *Responses to GSEJA-1 through GSEJA-18*. No further response is required.

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INVEST FRESNO in Community. in Jobs. in Our Future.

INVESTFresnoCA.com

March 24, 2025

**Submitted Electronically**

Sophia Pagoulatos, Planning Manager
Planning & Development Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721
longrangeplanning@fresno.gov

**RE: Recirculated Draft Environmental Impact Report for Specific Plan for the Southeast Development Area**

Dear Ms. Pagoulatos:

I write today on behalf of INVEST Fresno, a coalition of residents, businesses, and community organizations committed to building a diverse and sustainable economy in Fresno, to submit comments on the Recirculated Draft Environmental Impact Report ("RDEIR") for the Southeast Development Area Specific Plan ("SEDA") that is currently being proposed by the City of Fresno.

INVEST Fresno is aligned in our position with the letter and recommendations submitted by John Kinsey, with Wanger Jones Helsley PC.

Generally, INVEST Fresno supports and applauds the City's stated intent to bring "45,000 homes and 37,000 jobs" to the plan area by 2050. However, we share particular concern regarding the definition of Flexible Research and Development, which does not appear to include job-creating land uses such as light or heavy industrial.

1

Most manufacturing uses fall within the definition of "General Industrial." However, most of the land use designations that could fall within the Flexible Research and Development Districts do not allow General Industrial uses. And those that do, such as the Regional Business Park and Business Park zoning districts, require that new or expanded manufacturing uses—no matter how small—go through the conditional use permit (CUP) process, which in the City of Fresno typically means a full EIR must be prepared. For all but the largest manufacturing projects, a CUP requirement will render a new manufacturing project non-viable.

Further, to the extent the Flexible Research and Development District does not allow Light Industrial and Heavy Industrial land uses, the SEDA would not include any such uses, and the SEDA would have the opposite effect of increasing land zoned for economic development and job creation purposes. Indeed, the downzoning of properties away from heavy and light industrial land uses within the

SEDA—combined with the City's limited opportunities for industrial growth or expansion—would consequently steer existing and potential economic investment elsewhere.

A well-balanced land use plan that includes job creation and other tax-generating uses is essential to strengthening the City's economic standing. Job-creating industries not only provide stable employment opportunities for Fresno residents but also generate critical revenue through sales taxes, business license fees, and property taxes. This revenue directly funds essential public services, including public safety, infrastructure improvements, and community programs. By ensuring that the SEDA includes a mix of land uses that promote job creation and economic development, the City can secure long-term financial stability. 1 CONT

If you would like to discuss this matter further, please do not hesitate to contact Ben Granholm at info@INVESTFresnoCA.com. We look forward to working with you and staff to help keep Fresno's economy moving.

Sincerely,



Ben Granholm
INVEST Fresno

cc: Jerry Dyer, Mayor
Georgeanne White, City Manager
Councilmembers, City of Fresno

## *INVEST Fresno (First Letter) (INVEST 1)*

*Response to INVEST 1-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies, objectives, or land use descriptions are not further addressed in the Final PEIR. No further response is required.

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March 24, 2025

**VIA EMAIL [longrangeplanning@fresno.gov] & U.S. MAIL**

Sophia Pagoulatos, Planning Manager
Planning & Development Department
**CITY OF FRESNO**
2600 Fresno Street, Room 3065
Fresno, CA 93721

**Re: Recirculated Draft Environmental Impact Report for Specific Plan for the Southeast Development Area**

Dear Ms. Pagoulatos:

Thank you for the opportunity to submit comments on the Recirculated Draft Environmental Impact Report ("RDEIR") for the Southeast Development Area Specific Plan ("SEDA") that is currently being proposed by the City of Fresno (the "City"). I am submitting these comments on behalf of InvestFresno and landowners within the plan area.

Founded in 2023, InvestFresno includes a diverse coalition of Fresnans dedicated to building a healthy and sustainable economy that elevates the community of Fresno for all of its residents. InvestFresno is committed to working with community leaders, business owners and residents to help raise the local standard of living, create more career opportunities, improve local neighborhoods, and strengthen community services. 1

My clients generally support the SEDA and applaud the City's stated intent to bring "45,000 homes and 37,000 jobs" to the plan area by 2050. However, they likewise believe the SEDA and the related RDEIR can be improved in several material respects to help achieve these

important objectives, while at the same time fulfilling the City's obligations under the California Environmental Quality Act, Pub. Resources Code, § 21000, *et seq.* ("CEQA") and State Planning and Zoning Law, Govt. Code, § 65000, *et seq.* ("PZL").

### A. The City Should Promote—and Should Not Reduce or Eliminate—Manufacturing and Other Employment-Generating Land Uses Across the City of Fresno, Including the SEDA Plan Area

As an initial matter, InvestFresno continues to be concerned about job-creating land uses being written out of the City's long-range planning documents. Over the past decade, the City's long-range planning documents have been gradually eliminating job-creating zoning districts throughout the City. For example, the 2017 Southwest Specific Plan ("SWSP") eliminated ***all*** industrially-zoned property from the plan area,[1] resulting in existing businesses having to undertake the expensive and lengthy process of seeking rezones and plan amendments to avoid legal non-conformities. The proposed Central South Area Specific Plan ("CSASP") likewise does not include any properties zoned industrial within that plan area.[2] The West Area Neighborhoods Specific Plan land use map shows less than five small properties—all adjacent to S.R. 99 and containing existing development—as zoned light industrial, with no heavy industrial zoning.[3] The recent South Central Specific Plan sought to downzone virtually all undeveloped properties within the plan area from light industrial (IL) and heavy industrial (IH).[4] And aside from a small handful of properties along the S.R. 180 corridor in West Fresno, along Golden State Boulevard in Northwest Fresno, and within the Palm Bluffs area, there are no undeveloped industrial-zoned properties elsewhere in the City. There is currently little room for new manufacturing or general industrial growth within the City's jurisdictional boundaries. The dearth of land available for manufacturing and other heavy and light industrial development in the City will not only reduce economic investment in the City, it will steer economic investment elsewhere.

1 CONT

This is of significant concern to InvestFresno, as the SEDA does not include ***any*** properties with an IL or IH land use designation. Instead, the SEDA contemplates the introduction of a new zoning concept entitled "Flexible Research & Development" district, described as follows:

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[1] https://opr.ca.gov/docs/20200624-Southwest_Fresno_Plan-case-study.pdf ["Key outcomes of the SWSP development process include a new zoning map that prohibits further industrial development in the community"].

[2] https://www.fresno.gov/wp-content/uploads/2023/03/Fresno_Central_Southeast_Area_Subsequent_MND_signed.pdf

[3] https://www.fresno.gov/wp-content/uploads/2023/05/2023-Planned-Land-Use-Map.pdf

[4] https://www.fresno.gov/wp-content/uploads/2024/11/1_South-Central-Specific-Plan-November-2024.pdf

> Flexible Research and Development Districts are primarily located west of the Briggs Canal and/ or south of Jensen Avenue and are intended to promote uses such as research and development, light manufacturing, product testing centers, and office development. This area could also include compatible commercial uses such as restaurants, coffee shops, cafes, printing and publishing, dry cleaners, and supporting businesses. Having access in these areas to regional transportation corridors (both road and rail) is critical, however, residential uses will not be allowed in Flexible Research and Development areas.

(SEDA at 15.) Although unclear, the Flexible Research and Development District does not include any references to IL or IH land uses. This assumption appears to be consistent with the analysis, as shown by tables in the RDEIR containing only land use assumptions for employment districts other than IL or IH. (See RDEIR at 3.18-57 [Table 3.18-1].) Moreover, Table 11 of the Traffic Study only includes inputs for Housing, Retail/Commercial, Office, and Government/Civic land uses. (See Traffic Study at 27.)

My clients are very concerned about the elimination of IL and IH zoning, which undermines the creation of jobs in the City. This is particularly true for high-quality manufacturing jobs. Most manufacturing uses fall within the definition of "General Industrial." However, most of the land use designations that could fall within the Flexible Research and Development Districts do not allow General Industrial uses. And those that do, such as the Regional Business Park (RBP) and Business Park (BP) zoning districts, require that new or expanded manufacturing uses—no matter how small—go through the cumbersome conditional use permit (CUP) process, which in the City of Fresno typically means a full EIR must be prepared. **For all but the largest manufacturing projects, a CUP requirement will render a new manufacturing project non-viable.** 1 CONT

The fact that the land uses contemplated in the SEDA is unclear is of significant concern. If the City's intent is to eliminate IL and IH land use designations in the plan area, the City should be up front about that, instead of forcing a member of the public to guess at the City's intentions by reviewing which land uses are omitted in the tables of an EIR or a technical report. At the very least, the City should update the Project Description, and recirculate both the SEDA and the accompanying RDEIR, so the public knows the City is once again seeking to eliminate industrial land uses from yet another plan area.

Better yet, the City should recognize that "manufacturing," "industrial," and "job-creators" are not dirty words. Instead of reflexively downzoning or eliminating industrial zoning, the City should instead work with stakeholders to provide clear and feasible mitigation that will avoid potential impacts to sensitive receptors.

The elimination of IL and IH zoning districts within the SEDA is not only bad policy, but contrary to the significant investment by numerous local entities to support the growth of manufacturing in the Fresno area and provide pathways to high-quality jobs:

- *State Center Community College Training Institute Welding Program*. This long-standing, no-cost accelerated welding program provides critical skills to residents, significantly reducing the financial burden of training.[5]

- *Good Jobs Challenge Manufacturing Training*. The Good Jobs Challenge supports programs at Fresno City College and Reedley College, including (i) a nine-month Maintenance Mechanics program at Fresno City College, which recently graduated its first cohort on January 31, 2025; and (ii) short-term, entry-level training programs for manufacturing production workers and machine operators at both Reedley College and Fresno City College.[6]

- *Federation for Advanced Manufacturing Education (FAME) Chapter*. The first FAME Chapter west of the Rocky Mountains was just recently launched with Reedley College as the partner institution. This program, announced at the San Joaquin Valley Manufacturing Alliance's (SJVMA) "Valley Made" summit in October 2024, will provide advanced manufacturing technicians with robust training and employer-sponsored on-the-job experience. The first cohort is scheduled to enroll in August 2025.[7]

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For the above programs to succeed, and for the City of Fresno and its residents to realize the benefit of these programs, it is critical that the City incentivize investment in high-quality manufacturing jobs. The City should not increase barriers to development, such as making high-quality manufacturing projects subject to a conditional use permit, as the SEDA appears to contemplate.

**B. The SEDA Has the Potential to Create Agricultural Non-Conformities**

One of the stated goals and objectives of the SEDA is to preserve the long-term viability of agricultural land uses. However, if the City eliminates light industrial and heavy industrial zoning, agricultural land uses would be undermined within the Flexible Research and Development District. This is because most agricultural land uses are either not permitted within

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[5] https://www.scccd.edu/departments/educational-services-and-institutional-effectiveness/training-institute/welding-program.html

[6] https://abc30.com/post/accelerated-workforce-programs-scccd-are-preparing-students-new-careers/15416253/

[7] https://fame-usa.com/fame-program-locations-original/california-fame-trash/central-valley-chapter/

the zoning districts mentioned in the definition of the Flexible Research and Development District, or subject to a CUP.

- ***Agricultural Processing***: is not allowed in the Office (O) Zone District, and subject to a CUP in Business Park (RB) and Regional Business Park (RBP) Zoning Districts. This land use is permitted in the IL and IH Zoning Districts.

- ***Agricultural Support Services***: is not allowed in the Office (O) Zone District, and subject to a CUP in Business Park (RB) Zoning District. This land use is permitted in the IL, IH, and RBP Zoning Districts.

- ***Crop Cultivation***: This land use is permitted in the IL and IH Zoning Districts—and not the O, BP, or RBP Zoning Districts.

- ***Produce Stand***: This land use is permitted in the IL and IH Zoning Districts—and not the O, BP, or RBP Zoning Districts.

- ***Urban Farm***: This land use is permitted in the IL and IH Zoning Districts—and not the O, BP, or RBP Zoning Districts.

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In short, if the City's intention is to preserve the viability of agricultural land uses, it should authorized those land uses in the applicable zoning districts instead of creating legal non-conforming uses.

### C. To Ensure SEDA is Consistent with the Goals and Policies of the City's General Plan, the City Should Allow Industrial Land Uses

California's Planning and Zoning Law ("PZL") requires that all municipalities adopt a general plan. (Govt. Code, § 65300.) While charter cities are not subject to *some* of the PZL's consistency requirements, the Government Code expressly requires that a charter city's general plan to be *internally* consistent. (See Govt. Code, § 65300.5.)

Moreover, a subsequent project that is *not consistent* with a charter city's general plan gives rise to a *presumption* that the project approval constitutes an abuse of discretion. (See, e.g., *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 414-15.) A "project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Corona-Norco, supra*, 17 Cal.App.4th at 994.) While perfect conformity may not be required, "a project ***must*** be compatible with the objectives and policies of the general plan." (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 782 [emphasis added] [citing *Families Unafraid to Uphold Rural etc. County v. Board of Supers.* (1998) 62 Cal.App.4th 1332, 1336].) "A project is inconsistent if it conflicts with a general plan policy that is fundamental, mandatory, and clear."

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(*Endangered Habitats*, *supra*, 131 Cal.App.4th at 782 [citing *Families Unafraid*, *supra*, 62 Cal.App.4th at 1341-42].)

To the extent the SEDA disallows all Light Industrial and Heavy Industrial land uses, the SEDA would conflict with several objectives and policies of the City of Fresno's General Plan. For instance, ED-1 of the General Plan emphasizes the need to support economic development by "maintaining a strong working relationship with the business community and improving the business climate for current and future business" (General Plan at 2-21.) Indeed, expanding and retaining industrial industries within the City of Fresno is the "'bread and butter' of a solid economic development program . . . ." (General Plan at 2-13.)

To implement this objective, ED-1-d encourages the City to "[e]xplore increasing the amount of land properly zoned, *consistent with the General Plan*, and ready to be expeditiously developed, redeveloped, and/or revitalized for *economic development and job creation purposes*." (General Plan at 2-21 [emphasis added].) Yet the SEDA contemplates the downzoning of several industrially-zoned properties.

Further, to the extent the Flexible Research and Development District does not allow Light Industrial and Heavy Industrial land uses, the SEDA would not include any such uses, and the SEDA would have the opposite effect of increasing land zoned for economic development and job creation purposes. Indeed, the downzoning of properties away from heavy and light industrial land uses within the SEDA—combined with the City's limited opportunities for industrial growth or expansion—would consequently steer existing and potential economic investment elsewhere.

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Such results conflict with several other General Plan policies and objectives including:

- Policy ED-3: "Attract and recruit businesses and offer incentives for economic development." (General Plan at 2-23.) To implement this objective, ED-3-a encourages the City to adopt and implement programs to expand existing businesses and attract new businesses. Eliminating and/or downzoning industrially-zoned properties would diminish the City's capability of attracting and recruiting new and existing businesses to invest in the City.

- Policy LU-7: "Plan and support industrial development to promote job growth." (General Plan at 3-54.) The City is intended to "[p]romote industrial land use clusters to maximize the operational efficiency of similar activities." (*Id.* at 3-55 [Policy LU-7-c].) The General Plan notes a need to provide relatively high-income jobs to promote economic development. Several industrial businesses, including manufacturing, provide generally high paying jobs and opportunities for advancement. (See *id.*, Table 2.5.)

To foster these job opportunities, industrial development is critical. If industrial development dissipates, the opportunities for job growth also disappear.

To the extent the SEDA eliminates light and heavy industrial land uses, the SEDA would also be internally inconsistent with several of the proposed goals and policies in that document:

- Policy UF-1.3 seeks to promote "employment-generating development within the Plan Area to expand Fresno's employment base beyond traditional industries (as specified in the policies of the Economic Opportunity Chapter)." However, only a limited number of employment-generating land uses are permitted within the Flexible Research and Development District, and several land uses permitted under light industrial and heavy industrial zoning are either not permitted or only permitted subject to a CUP.

- Objective UF-4 contemplates that the City would "[a]ttract high-profile businesses to create bustling and desirable Employment Districts," yet this would be exceedingly difficult if the land uses are restricted to those specifically mentioned under the definition of the Flexible Research and Development District.

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- Policy EO-1.2 contemplates that the City would build on its "current workforce development efforts by providing career technical education, apprenticeship, and other upskilling opportunities for those who live or work in the SEDA." However, as noted above, if the land uses are restricted to those identified in the definition of the Flexible Research and Development District, most manufacturing projects could only be permitted subject to a CUP, which would frustrate development.

- Objective EO-2 contemplates that the City would target growth "industries in which Fresno has a competitive advantage." The City, however, has a competitive advantage in the field of manufacturing due to its workforce and training programs. However, if the land uses are restricted to those identified in the definition of the Flexible Research and Development District, it would become more difficult to develop manufacturing land uses.

- Policy EO-2.1 seeks to promote "industry clusters that build on Fresno's local strengths," including: "Advanced Manufacturing, Clean Energy, Construction, Food Processing, Healthcare, Information Processing, Logistics & Distribution, Software Development, Tourism, and Water

Technology." However, if the land uses are restricted to those identified in the definition of the Flexible Research and Development District, the above land uses would be much more difficult to develop because many would be subject to a CUP.

- Policy EO-5.3 contemplates that the City would "[d]evelop Flexible Research & Development Districts with targeted sales, property value, and employment intensity"; "Promote the growth of manufacturing, distribution and research and development employment in the areas of the SEDA where these uses are allowed"; "Encourage the formation of industry clusters"; and "Attract large employers." However, if the land uses are restricted to those identified in the definition of the Flexible Research and Development District, it would be far more difficult to develop and promote these endeavors, as most manufacturing development would be subject to a CUP.

- Policy UF-1.6 seeks to promote agricultural land uses in the plan area, "to allow the continued operation of agricultural activities which occur adjacent to new residential developments." This objective is directly contrary to the elimination of light industrial and heavy industrial land uses, which allow continuing agricultural uses, while the other land uses mentioned within the Flexible Research and Development District, which do not.

3 CONT

**D. Conclusion**

Thank you for the consideration of these comments. My clients look forward to clarification regarding the land uses permitted in the City's proposed Flexible Research and Development District and collaboration with the City to ensure the long-term viability of job-creating land uses.

Very truly yours,

John P. Kinsey

## *INVEST Fresno (Second Letter) (INVEST 2)*

*Response to INVEST 2-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies, objectives, or land use descriptions are not further addressed in the Final PEIR. No further response is required.

*Response to INVEST 2-2*

The comment is noted. Please refer to *Response to INVEST 2-1*. No further response is required.

*Response to INVEST 2-3*

The comment is noted. Please refer to *Response to INVEST 2-1*. The analysis included in the Recirculated Draft PEIR evaluates the proposed project, which includes the entitlements and discretionary approvals required to implement the proposed project. In Chapter 2, Project Description, of the Recirculated Draft PEIR, the discretionary approvals required for the proposed project are listed. Of the discretionary approvals listed, an Amendment of the Fresno General Plan, including amendments to the Land Use Map and text, and a Text Amendment of the Development Code to incorporate new zone districts and other provisions called for in the SEDA Plan. As such, these actions were evaluated within the Recirculated Draft PEIR throughout the various topical areas and all significant and unavoidable program-level and cumulative impacts are disclosed. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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February 11, 2025

Sophia Pagoulatos
Planning Manager
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

Ref: Gas and Electric Transmission and Distribution

Dear Sophia,

Thank you for submitting Recirculated Draft PEIR plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en/account/service-requests/building-and-renovation.html.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

1

**Attachment 1 – Gas Facilities**

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

2

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement. 2 CONT

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

2
CONT

**Attachment 2 – Electric Facilities**

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.



4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

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12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

## *Pacific Gas and Electric Company (First Letter) (PG&E 1)*

*Response to PG&E 1-1*

The comment is noted. As the document is a policy-level document, future individual development associated with the implementation of the proposed project would be required to comply with all applicable PG&E requirements, and future development would be required to undergo CEQA analysis on a project-by-project basis as necessary. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to PG&E 1-2*

The comment is noted. As the document is a policy-level document, future individual development associated with the implementation of the proposed project would be required to comply with all applicable PG&E requirements, and future development would be required to undergo CEQA analysis on a project-by-project basis as necessary. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to PG&E 1-3*

The comment is noted. As the document is a policy-level document, future individual development associated with the implementation of the proposed project would be required to comply with all applicable PG&E requirements, and future development would be required to undergo CEQA analysis on a project-by-project basis as necessary. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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March 19, 2025

Sophia Pagoulatos
Planning Manager
2600 Fresno Street
Fresno, CA 93721

Re: SEDA Specific Plan
Southeast Fresno Area. Fresno, County

Dear Sophia Pagoulatos,

Thank you for giving us the opportunity to review the subject plans. The proposed SEDA Specific Plan is within the same vicinity of PG&E's existing facilities that impact this property.

The proposed project is within PG&E's service area. The applicant is to ensure the development of the SEDA Specific plan within any PG&E easements complies with the existing easement language and the provided guidelines for projects near PG&E electric and gas facilities per the issued initial response letter sent on February 11, 2025. The applicant is to provide development plans and applicable tentative tract maps to PG&E's Plan Review Team for comment once they are available. The applicant may contact PG&E's Plan Review Team via email at PGEPlanReview@pge.com.

Guidelines as it pertains to proposed vegetation and landscaping for the various PG&E facilities can be found here. 1

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at alexa.boyd@pge.com.

Sincerely,

Alexa Boyd

Alexa Boyd
Land Management

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## *Pacific Gas and Electric Company (Second Letter) (PG&E 2)*

*Response to PG&E 2-1*

The comment is noted. As the document is a policy-level document, future individual development associated with the implementation of the proposed project would be required to comply with all applicable PG&E requirements, and future development would be required to undergo CEQA analysis on a project-by-project basis as necessary. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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March 24, 2025

City of Fresno Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065, Fresno California 93721
Email: longrangeplanning@fresno.gov

Re: Comments on Revised Draft Program Environmental Impact Report for Fresno Southeast Development Area (SEDA) Specific Plan Project City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 dated February 7, 2025

Dear Ms. Pagoulatos,

On behalf of the Sierra Club, Central Valley Partnership, and League of Women Voters we submit the following comments on the Fresno Southeast Development Area (SEDA) Specific Plan project Recirculated Draft EIR (RDEIR)[1]. We previously submitted comments on the Draft EIR (DEIR)[2] on August 28, 2023, which we incorporate by reference.

We understand that the City is not planning to respond to earlier comments on the DEIR or any other letters submitted at that time. If the City's view is that it does not have to respond to earlier comments, it is mistaken. However, we must proceed on the possibility the City might only respond to this letter. Therefore, we are repeating our previous points in this letter and making new ones because all of the substance of these points are still relevant and apply. We also incorporate by reference all comment letters that were previously submitted on the DEIR and specifically ask that you respond to all

1

[1] The February 7, 2025 RDEIR is available at this link: https://www.fresno.gov/wp-content/uploads/2025/02/31680037-Fresno-SEDA-Specific-Plan-Project-Recirculated-Draft-EIR.pdf

[2] The July 2023 DEIR is available at this link: https://www.fresno.gov/wp-content/uploads/2023/07/Draft-SEDA-Environmental-Impact-Report.pdf

points made in each of those letters as well. The RDEIR should disclose and respond to all previously submitted comment letters on the DEIR. 1 CONT

The SEDA project would be a massive development project with extensive impacts that must be carefully planned and mitigated. It has been accurately described as follows: 2

> [the project will] transform nearly 9,000 acres southeast of Fresno into a new Clovis on Fancher Creek.
>
> The project up for the city council's vote will be one of the biggest suburban sprawl projects in Fresno's history. The Dyer administration's plan includes 45,000 homes and up to 150,000 people, on a stretch of land that is currently a patchwork stretch of farmland, rural homesteads, two-lane country roads, and stop-signs.
>
> Known as the Southeast Development Area (SEDA), the transformed community would rival the size of Clovis – 16 times the size of the Copper River project in northeast Fresno, and seven times as large as Riverstone and Tesoro Viejo, the major new communities across the San Joaquin River in Madera.

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

Our understanding of tax sharing agreements that were reached between the City of Fresno and County of Fresno at the end of 2024[3] is that there would now be economic incentives to the City to encourage growth in the Southeast area of the City rather than in other areas where growth should be incentivized. The existence and effect of these tax sharing agreements should be disclosed and analyzed in the EIR. It has been reported in Fresnoland that "The agreement represents a sea change in city development policy, shifting financial incentives towards growth in the city's southeast development area, called SEDA, with nominal changes to incentives to annex areas west of 99, formerly the city's top growth priority." (https://fresnoland.org/2024/12/20/fresno-county-supervisors-approve-tax-sharing-deal-as-southeast-rural-residents-questions-remain/.) 3

As required by the California Environmental Quality Act (CEQA), the City of Fresno (City) must address the impacts of this massive project, along with its cumulative 4

[3] https://www.fresnocountyca.gov/files/sharedassets/county/v/1/resources/press-release-documents/2024-press-releases/2024-12-20-county-city-tax-sharing-agreement-announcement.pdf

impacts with other similar developments in the region. CEQA has been described as a bill of rights for an environmental democracy. It is intended to provide a "road map" and a "price tag" for proposed projects:

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

4 CONT

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

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

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

The SEDA DEIR, in its Agricultural Resource and Forestry Resources section, identifies the amount of farmland threatened with conversion to urban uses. The Plan's proposed development will effectively eliminate approximately 6,741 acres in agricultural production, which are specified as 2,475 acres of Prime Farmland, and approximately 1,352 acres of Farmland of Statewide Importance, 1,189 acres of Farmland of local importance, and approximately 1,725 acres of Unique Farmland. (DEIR p. 3.2-16.)

5

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

Specific to the structural land use policies promoting farmland conservation, the 2014 Fresno General Plan stated, "Policies in the Plan will help preserve farmland by incentivizing new development within and adjacent to already-urbanized land, only extending public utilities to new development that adheres to the Plan, and not expanding the City's SOI."[4] So, the proposed development of the Southeast Development Area effectively punctures the previously agreed upon sphere of influence boundary and violates the integrity of the city's hoped for revitalization as it re-initiates a historic pattern of sprawl development and proposes new annexation (RDEIR, p. 2-3 [project "requires" annexation]). LAFCO should have been notified and consulted about this proposal.[5]

The achievement of a farmland mitigation policy was another important outcome of the 2014 Fresno General Plan. Originally, this General Plan specified under policy RC-9-c that when farmland was converted to urban uses, the City of Fresno would "permanently protect an equal amount of similar farmland elsewhere through easement." This simple, straightforward and implementable policy was consistent with other farmland mitigation programs that typically require mitigation at a 1:1 ratio on soils of similar quality under a conservation easement, however RC-9-c was later amended in ways that made it more muddled, less definitive and more difficult to implement.[6]

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The Fresno General Plan policy RC-9-c (the amended portion in italics) states:

> **"Farmland Preservation Program**. In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall *provide several mitigation options that may include but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation*

[4] Fresno General Plan Adopted: December 18, 2014, Resource Conservation and Resilience Chapter, Farmland Section 7.6, pg. 7-42.
[5] On March 9, 2022, LAFCO considered SEDA.

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

> *Banks, Fee Title Acquisitions, Conservation Easements, Land Use Regulations, or any other mitigation method that is in compliance with the requirements of CEQA*. The Farmland Preservation Program may be modeled after some of all of the programs described by the California Council of Land Trusts."[7]

5 CONT

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

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

6

Specific to farmland mitigation, the SEDA DEIR inadequately identifies mitigation that can be expected to be meaningfully implemented. A proposed "Buffer District" is a much lesser threshold to breach in the future than an existing sphere of influence boundary in a general plan. Yet this is just the mitigation policy remedy being suggested in SEDA's DEIR policy framework. (DEIR p. 3.2-17.) The proposed Buffer District is purely aspirational without explicit mechanisms to hold the line on future greenfield development and residential sprawl. Most troubling is that the SEDA EIR's primary farmland mitigation policy proposal yet again relies upon the dormant 2014

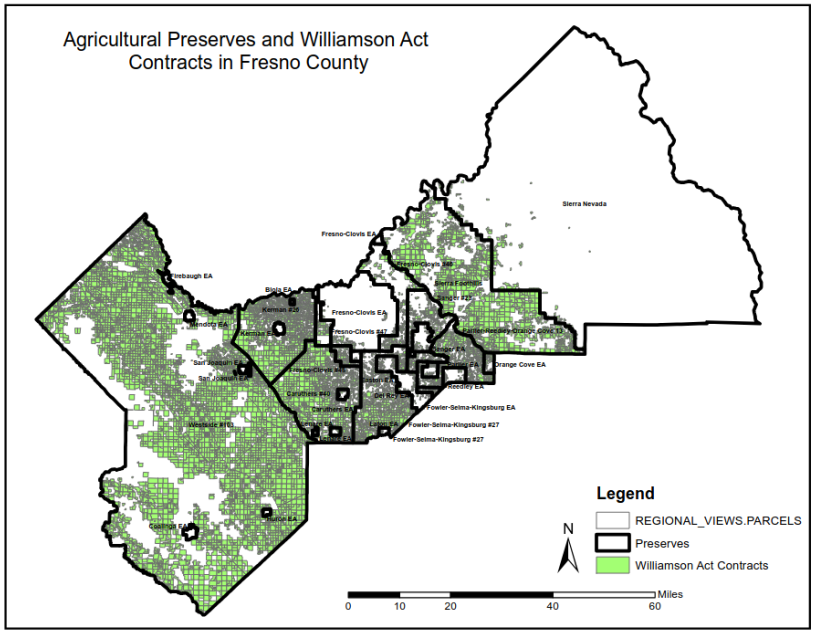
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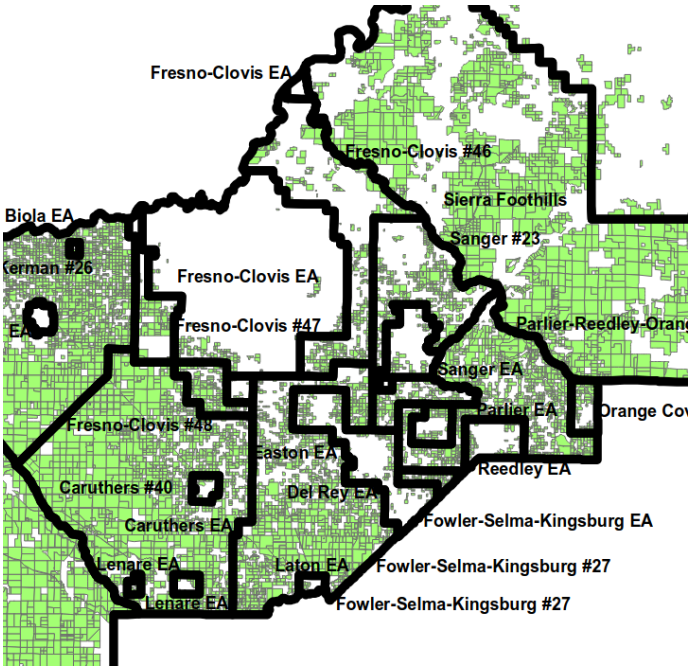
[7] Fresno General Plan Adopted: December 18, 2014, Resource Conservation and Resilience Chapter, Farmland Section 7.6, pg. 7-43.

Fresno General Plan policy RC-9-c guiding farmland mitigation, and MM AG-1.1 that was supposed to establish a Farmland Preservation Program (FPP), now planned to be initiated by 2025. (DEIR p. 3.2-15.)

Given the past lack of planning policy follow through, the SEDA EIR makes contingencies, "because the FPP has not yet been developed, the proposed project would implement project-specific MM AG-2, which requires all future development to mitigate the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, on a project-by-project basis before the initiation of construction or ground-disturbing activities." (DEIR p. 3.2-17.) A project-by-project policy makes oversight of mitigation policy unworkable though it becomes necessary given the City of Fresno's past reticence and resistance to mitigate for the loss of farmland.

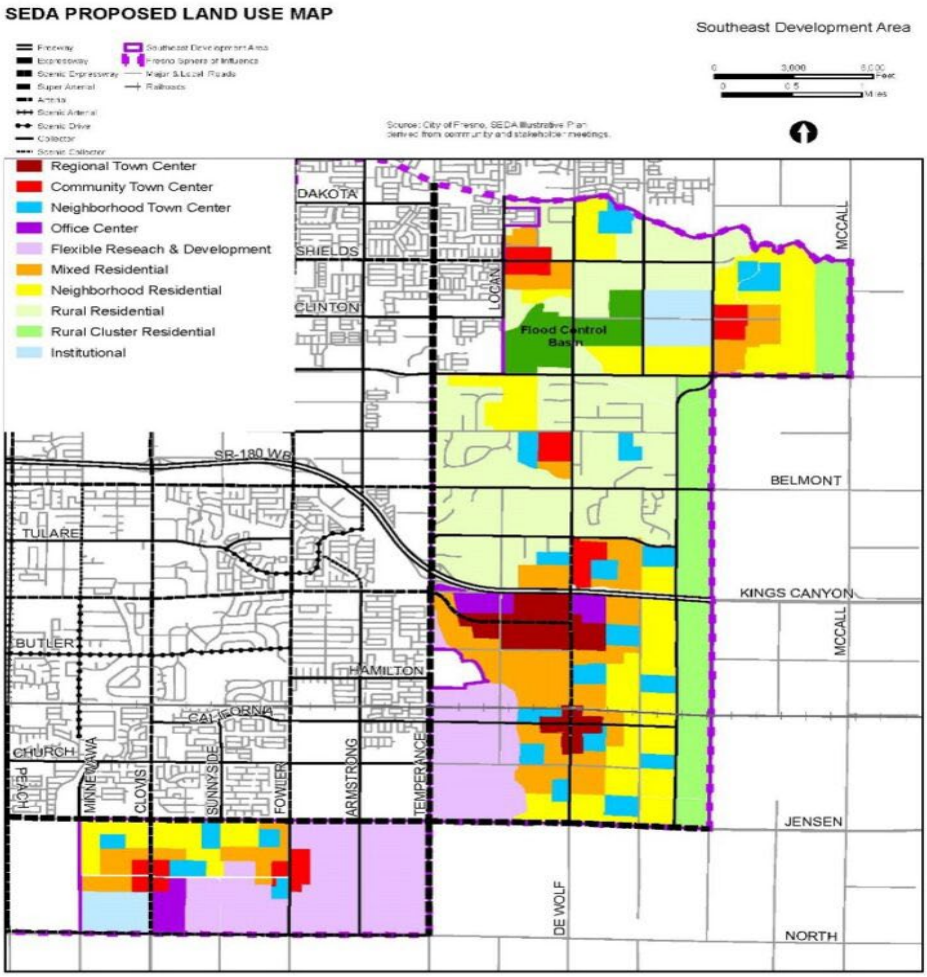
Farmlands must be protected, including those that are contracted and uncontracted under the Willamson Act. The following maps are prepared by Greg Weaver. All parcels on this map must be accounted for in terms of how their protections will be maintained. In order for the Williamson Act to succeed as a long term conservation tool, regulation of noncontracted lands cannot be overlooked. SEDA must account for their preservation. 7 CONT






The status and restrictions of the Williamson Act contracted lands must be considered and protected, as must the status of uncontracted lands. (See RDEIR, p. 3.2-16.)

7
CONT




7
CONT

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

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

8

There is no dispute that the air quality in Fresno is abysmal. The prestigious American Lung Association's annual report State of the Air 2023 lists Fresno as the fourth-most polluted city in the country for ozone[8], and the second most polluted for short-term particulate pollution, and the third-most polluted city for year-round particle

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

pollution[9]. The federal EPA classifies the San Joaquin Valley Air Basin, of which Fresno is a part, as in "extreme" nonattainment of the National Ambient Air Quality Standard (NAAQS) for ozone, and in "serious" nonattainment for fine particulates (PM2.5). The San Joaquin Valley is one of only two air basins in the entire country classified as in "Extreme" nonattainment for ozone. (EPA Green Book, at https://www3.epa.gov/airquality/greenbook/jnc.html, last visited 8/24/23. Classification of the San Joaquin Valley as in "Serious" nonattainment of the federal standard for PM2.5 is at https://www3.epa.gov/airquality/greenbook/rnc.html, last visited 8/24/23.)) Fresno is an unhealthy place to breathe, and especially so for sensitive groups, including children, the elderly, and the sick.

Both state and federal law require air basins to comply with the health-based state and federal Air Quality Standards. [E.g., 42 USCA §7401, et seq.).] The San Joaquin Valley Unified Air Pollution Control Agency (APCD) has devised an Air Quality Management Plan (AQMP) to reduce the levels of health-damaging pollution in the air and make the air healthier to breathe. According to the DEIR, a new AQMP for ozone was due for submission to the EPA by August of 2022. There is no information in the DEIR as whether it was submitted or when an evaluation of the new AQMP by EPA might be expected; the fact remains that the Valley is in extreme nonattainment. A new plan for PM2.5 was submitted in June of 2020. (DEIR p. 3.3-25.) EPA has postponed the deadline for the Valley to meet the PM2.5 standard until 2024, but has not yet approved or disapproved the APCD's new plan to meet the federal standard. The Valley remains in serious nonattainment for PM2.5. However, these facts appear to matter little, since the DEIR clearly and unequivocally states that carrying out the SEDA plan is **not** consistent with the Air Quality Management Plan now in operation to meet health-based federal and state Air Quality Standards, and would conflict with that Plan and with project significance thresholds established by APCD to prevent increases in ozone. (DEIR, pp. ES-6, ES-14, 3.3-45.) The DEIR states at page 3.3-45:

8
CONT

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

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

> ***air quality violations; cause or contribute to new violations; or delay timely attainment of the AAQS***.

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

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

8 CONT

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

(DEIR, p. 3.3-51.)

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

The DEIR explains that, by itself, construction of the Project will cause emissions of every pollutant for which the Valley is in nonattainment in amounts that exceed APCD significance thresholds during each and every year of Project construction, 2023-2043, except the very last year. (DEIR, Table 3.3-8, p. 3.3-53.[10]) The DEIR makes no comparison between the emissions that Project construction will cause to the emissions provided for in the AQMP, a critical failure to provide the information that should be in the DEIR.[11] It also asserts that it is "unavoidable" - if the SEDA plan is carried out – that "sensitive receptors" (e.g., children, the elderly, and people who already have respiratory illnesses) will be exposed not only to air that far exceeds the health-based state and federal Air Quality Standards, but they may also be exposed to toxic pollutant emissions, including carcinogens, during construction of the Project. Such carcinogens and other toxic chemicals are contained in diesel particulate emissions (commonly referred to as "DPM," for diesel particulate matter"), an airborne soup of chemicals and small particles,

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

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

many of which either are carcinogenic, or have carcinogens adhered to them, that are emitted by diesel trucks and diesel-powered construction equipment.[12]

The potential health impacts from diesel particulate emissions are quite significant, as the DEIR shows at page 3.3-17. The DEIR, at page 3.3-59, tersely acknowledges that "Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a [Toxic Air Contaminant]."[13] The DEIR disclaims the ability to estimate DPM emissions from the Project, but it admits that, as to toxic emissions, especially DPM:

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

9
CONT

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

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

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

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

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

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

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

(DEIR, p. 3.3-46.) The DEIR asserts that there are no further feasible mitigation measures. In fact, the DEIR implies that the Project is too big for its air quality impacts to be feasibly mitigated (DEIR p. 3.3-46), a concept that is antithetical to CEQA's purposes and requirements. Instead, the City should consider making the Project smaller, so that mitigation is feasible. CEQA requires that once significant impacts from a Project have been identified, the project should not be approved if there are feasible mitigation measures that would lessen or prevent such impacts. (Public Res. Code § 21002.) 10

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

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

The DEIR lists policies in the Fresno City General Plan and the SEDA plan as potentially lessening the air quality impacts of the Project. Many, if not most, of these policies are so conditional and aspirational as to be unenforceable. Examples include policies that include wording such as "support," "promote," "incentivize," or "pursue." 11

(E.g.: Land Use Policies LU-2(b), LU 3(c;, HC 3.d; MT-2(c), (g) and m; Open Space Policy OS-10.5; Conservation Policies RC1.1, RC 1.3 (a) and (b), RC 1.4.)

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

DEIR mitigation measures specific to the Project must also be made mandatory. Specifically, MM AIR 2.1's full list of controls for diesel-powered construction equipment should be made mandatory unless individual measures are proven infeasible under clearly defined standards, and MM AIR-3.1's measures to control emissions of Toxic Air Contaminants should be mandated for *use*, not merely for identification. 11 CONT

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

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

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

The CEQA Guidelines require an agency to "use its best efforts to find out and disclose all that it reasonably can" in an EIR. (Guidelines § 15144.) The City has failed to do so here. Table 3.3-9, at page 3.3-55, which is the only table showing operational pollutant emissions from the Project, is an example of how uninformative the EIR is. It 12

shows only a single year's emissions total: 2050, the year of full build-out of the Project, and seven years after the last year (2043) for which construction emissions are projected.

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

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

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CONT

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

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

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

DEIR, p. 3.8-10.)

The increase in pollutant emissions and the increase in temperatures and number of days when ozone is likely to form add up to a potential public health crisis, necessitating the fullest information that can be provided. Further, since this information is essential to any understanding of the health impacts of the Project, the DEIR must be

recirculated with that information prior to certification. (CEQA Guidelines § 15088.5.) It is imperative that the decision makers and the public have this information.

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

12 CONT

The emissions of nitrogen oxides (NOx) from construction listed in the Table show a steady decline over the years, as do other pollutants. Notably, PM2.5, which almost certainly contains carcinogenic DPM from construction equipment and diesel trucks, remain fairly steady throughout the years, with 2024's emissions and 2043's emissions being within 6 tons per year of each other.

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

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

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

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

13

We first note that the DEIR does describe some health effects of ozone and PM2.5. (DEIR, pp. 3.3-12 to 3.3-12.) However, its description of the health impacts of

PM10 and PM2.5 fails to point out the disproportionate impact of airborne particulate matter on disadvantaged communities. The APCD stated in a 2021 letter to the California Air Resources Board:

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

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

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CONT

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

than one short sentence saying it can't be done. As the Supreme Court in *Friant Ranch* made clear, more explanation is required.

Further, such an analysis *can* be done. When Cal State San Diego proposed a master plan to develop a new community, it eventually certified an EIR that did perform a *Friant Ranch* analysis, correlating the project's emissions with impacts on human health (although it acknowledged that the analysis was not perfect). That analysis is available at https://missionvalley.sdsu.edu/pdfs/feir/appendices/4-2-3-sdsu-mv-health-effects-memo.pdf, and is hereby incorporated into this letter by reference. We also formally submit it into the administrative record for this Project by reference, as demonstrating that an analysis correlating emissions from a major project with impacts on human health is feasible. 13 CONT

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

**7. Project Construction Emissions Of GHG Are Underreported.**

The RDEIR is extremely deficient in its analysis of SEDA's potential greenhouse gas emissions. It states that construction emissions of greenhouse gases ("GHG") are a one-time event, and as such, will not cause significant impacts. (EIR, p.3.8-42.) However, the RDEIR also acknowledges that GHGs stay in the atmosphere for very long periods of time, carbon dioxide ("CO") emissions remaining for 50 to 200 years (RDEIR p. 3.8-4); hardly a one-and-done event. The EIR states at page 3.8-6 that "GHGs have long atmospheric lifetimes, several years to several thousand years. GHGs persist in the atmosphere for a long enough time to be dispersed around the globe."

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Further, the RDEIR admits that certain Project construction emissions *can* cause significant impacts, saying of water supply and wastewater treatment:

> GHG Emissions–Construction of utility facilities and treatment plants would result in the generation of GHG emissions. Construction emissions would occur only in the short-term; however, since the timing of the construction of the expanded and new facilities is not known, there could be more than one facility under construction at one time. Therefore, there is a possibility that a substantial amount of GHG emissions could occur. In addition, the operation of treatment plants and construction of other utility infrastructure (pipes, basins, etc.) could contribute to

> emissions associated with the buildout of the proposed Specific Plan. These emissions *would be potentially significant*.

(RDEIR, p. 3.8-55, emphasis added.) This is only one component of the Project; presumably, the whole will be greater than the sum of its parts, meaning that the GHG emissions from the construction of the entire project may be significant.

What is certain is that emissions from Project construction are not only ***not*** one-time events – construction would extend over nearly a decade (RDEIR, p.,3.3-48) – such emissions would be huge, totaling a whopping 2,316,578 metric tons of carbon dioxide equivalent emissions ("MTC02e"). For perspective, the *total* carbon dioxide emissions estimated in the City of Fresno's Greenhouse Reduction Plan as being emitted by motor vehicles in the *entire City* under Business as Usual conditions in 2020 is 2,383,023 MTC02e. (City of Fresno –Fresno General Plan Update Greenhouse Gas Reduction Plan, p. 29, available at https://www.fresno.gov/wp-content/uploads/2023/03/F-2-Greenhouse-Gas-Reduction-Plan.pdf.) Construction of this single Project will cause the emission of nearly as much climate-changing pollution as all the cars and trucks in the entire City of Fresno. The EIR has presented no substantial evidence to support its conclusion that Project construction emissions of GHGs would not be significant. 14 CONT

**8. Operational Emissions Will Be Significant.**

Nor will the Project's operational emissions be less than significant. The EIR presents information as to the Project's operational emissions solely for its Buildout Year, at least a decade after construction begins, and after various measures will have been taken at the federal and state level to reduce GHG emissions from various sources, notably from motor vehicles. (RDEIR, pp. 3.8-47 to 48.) Even with such reductions, total operational GHG emissions from the Project are estimated by the EIR as 601,912 MTC02e per year, with transportation emissions accounting for over two-thirds of that total, at 432,219 MTC02e per year. (RDEIR, p. 3.8-43.)[14] 15

The total GHG emissions from the Project are not estimated in the body of the EIR; indeed, the lifespan of the Project is not estimated. However, the lifespan of a house extends over several decades, perhaps even as long as a century. (https://www.bankrate.com/real-estate/whats-the-life-span-of-a-house/#:~:text=You%20can%20count%20on%20a,endure%20the%20test%20of%20time

[14] The RDEIR makes an adjustment to the total of the GHG emissions by subtracting existing emissions, but since the RDEIR only does this for the total amount of Project operational emissions, not broken down by sector, we were unable to make such an adjustment for transportation emissions.

.) However, multiplying the estimated annual GHG emissions of the Project, viz., 510,791 MTC02e per year, by ten, the Project can be estimated to emit over *five million* metric tons of C02e during each decade of its useful life. Once again, the RDEIR presents no substantial evidence that emissions of such magnitude will have less-than-significant impacts. In fact, the RDEIR makes no effort to provide substantial evidence as to the total time that the Project can be expected to be occupied and useful. CEQA Guidelines section 15144 mandates that an agency preparing an EIR "must use its best efforts to find out and disclose all that it reasonably can."[15] The RDEIR has failed to do so in estimating the total GHG emissions that can reasonably be expected from this Project. 15 CONT

**9. FAX Transit Service Levels Are Not Substantiated.**

The RDEIR's vehicle miles traveled ("VMT"), air quality, and GHG calculations are based, at least in part, on the assumption that Fresno Area Express ("FAX") will provide high-quality transit services to the SEDA as it develops. (See RDEIR Policy R-1.2(a) at p.3.3-34 and 3.8-36.[16]) However, no bus lines currently serve the area (RDEIR, p. 3.17-6), and no portion of the RDEIR provides information on when bus transit services will be provided, the extent (e.g., hours, headway, or capacity of the services) or how they will be funded, despite the fact that FAX is a City agency and under City 16

[15] CEQA Guidelines section 15145 provides that "[i]f, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should not its conclusion and terminate discussion of the impact." However, the City does not present evidence that it made any attempt to estimate the useful life of the Project.

[16] See, the generalized, non-specific assertion at RDEIR p. 3.17-7:

**Transit Facilities**
Fresno Area Express (FAX) is the local bus system for the City. Currently, there are no bus lines that run through the Plan Area. Bus Routes 1, 22, and 35 run on Clovis Street near the Plan Area but do not directly serve the Plan Area. There are plans to extend the Fresno bus rapid transit line (Route 1) into the Plan Area in the future and to add local transit routes to significant origins and destinations with the project area.

See, also, the generalized description of future FAX transit service in Appendix H, at page 16:
3.4 EXISTING TRANSIT FACILITIES
Fresno Area Express (FAX) is the local bus system for the City of Fresno. Currently, there are no bus lines that run through the Plan Area. Bus routes 1, 22, and 35 runs on Clovis Street near the Plan Area, but do not directly serve the Plan Area. There are plans to extend the Fresno bus rapid transit line (Route 1) into the Plan Area in the future and to add local transit routes to significant origins and destinations with the project area

control. (https://www.fresno.gov/transportation.fax.history.)[17] While the RDEIR depends on FAX services as mitigation for potential transportation impacts, no details whatsoever as to service timing or extent is provided (see, MMTRANS 1-d, RDEIR p. ES-50 [the entire text of this so-called Mitigation Measure is "MM TRANS-1d: Collaborate with Fresno Transit (FAX) to provide new transit services to the proposed project and within the proposed project area."]) Without details of how the high-quality transit service upon which the EIR relies to reach various conclusions as to lack of significant impacts from the Project on air quality, climate change, and VMT will be provided – or funded - the conclusions reached by the EIR that rely on FAX's future transit service to the SEDA area are speculative and unsupported by substantial evidence.[18]

16 CONT

**9. No Substantial, Quantified Evidence Supports The RDEIR's Conclusion That No Mitigation Is Required.**

The RDEIR states that Legislature and the California Air Resources Board ("CARB") have determined that local areas must reduce vehicle miles traveled (VMT") by prescribed amounts; this will reduce GHG emissions. The RDEIR reports that:

> Fresno County targets for SB 375 are a 5 percent per capita reduction by 2020 and a 10 percent per capita reduction by 2035 relative to 2005 levels. (SB 375 is implemented with the Fresno COG RTP/SCS).

17

(RDEIR, p.3.8-44.) The RDEIR goes on to assert:

> The strategies included in the proposed Fresno SEDA Specific Plan are consistent with the measures included in the RTP/SCS [the transportation and sustainable community plan required by SB 375] and would serve to support a per capita reduction in VMT in the Plan Area after the implementation of the proposed project.

(*Ibid.*) This is a wholly qualitative analysis, providing no quantitative proof that the mandated VMT reductions will be met, either by the Fresno area as a whole or the

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[17] The EIR itself points out the importance of City control of polluting facilities. See EIR, p. 3.6-14, regarding municipal facilities: "It is important to include greenhouse gas reductions and energy conservation at City facilities, over which the City has direct control and can allocate resources for this purpose." Surely this control and ability to allocate resources is also true of City agencies like FAX, and can be used to devise and carry out mitigation.

[18] CEQA Guidelines section15150 provides that references to material outside the EIR are permitted, but mandates that they do have to be locatable through citations or other means of identifying and finding the material. There are no such guideposts in the EIR to FAX's future plans.

Project. No calculation of the per capita reduction in VMT that the SEDA strategies would "support" is made.

Instead, the RDEIR takes the position that if SEDA does not openly and specifically contradict CARB's Scoping Plan to meet the statutory GHG emissions reduction goals and the SB 375-mandated VMT reduction targets, that the Project will not have any significant adverse impacts on the State's climate goals or the SB 375-required reductions, even as it will cause millions of metric tons of GHGs to be added to the atmosphere. (RDEIR, p. 3.8-44.) So long as Fresno does its unquantified "fair share" to not obstruct to the Scoping Plan through approving the SEDA Project, the RDEIR concludes that the Project will have no significant impact on the environment or the State's attempts to meet its climate goals. (RDEIR, p.3.8-56.) No mitigation measures are proposed or adopted. 17 CONT

This analysis and the RDEIR's conclusions of no significant impact and no significant cumulative impact are not supported by quantified analysis or specific, substantial evidence. They are invalid.

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

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

#### 1. The GHG Analysis Fails as an Informational Document

While the DEIR bestows considerable attention on the existing legal framework of the federal and state laws and regulations applicable to GHG emissions, it is remarkably short on information as to the GHG emissions to be expected from the Project. Like its description of SEDA emissions of conventional and toxic pollutants, described above, the DEIR provides only very limited information on the GHG emissions to be expected from the Project, and downplays the significance of those it does acknowledge. 18

In Table 3.8-2, at page 3.8-44, the DEIR sets out the Project's expected GHG emissions from construction. These are reported year by year for the years 2024 to 2043 (only 19 years from now, despite the DEIR's statement that "[b]uildout of the proposed project would occur over approximately 25 years, or longer" at page 3.3-57).

The emissions expected from construction total 2,316,578 tons of carbon-dioxide equivalent GHGs.[19] The DEIR downplays the potential significance of this emission of over two million tons of GHGs by saying that "[s]hort-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change." (DEIR, p. 3.8-44.) This is nonsensical, since the fact that construction emissions are "one-time" for each individual project is somewhat meaningless, given that the DEIR has already shown that GHGs can remain in the atmosphere for decades or even centuries; carbon monoxide itself has a residency time of 50 to 200 years. (DEIR, p. 3.8-4.) It is their long period of residence in the atmosphere that enables GHGs emitted anywhere in the world able to affect the entire planet, as the DEIR observes at page 3.3-6 ("GHGs have long atmospheric lifetimes, several years to several thousand years. GHGs persist in the atmosphere for a long enough time to be dispersed around the globe.")

The DEIR itself states that "although it is unlikely that a single project will contribute significantly to climate change, cumulative emissions from many projects affect global GHG concentrations and the climate system." (DEIR p.3.8-7.) The Project's construction emissions cannot be made less than significant by calling them "one-time," since their effects will last for many decades or even for centuries. 18 CONT

As it does with the Project's expected emissions of conventional pollutants, the DEIR provides the Project's expected operational GHG emissions for only one year: 2050. (DEIR, Table 3.8-3, at p. 3.8-45.) The DEIR reports a surprisingly low total: 515,791 tons of GHGs. (*Id.*) We note that 2050 is the time by which the state is expected to carry out its many programs to reduce GHG emissions, including mandating zero-emission cars, setting low carbon fuels, reducing the carbon footprint of transporting water, and mandating electricity that is mostly or exclusively produced by non-carbon, renewable sources. (DEIR, p. 3.8-49.) Therefore, the 2050 GHG figure is almost certainly not representative of the Project's GHG emissions in all, or even most, of the years of its operation, before all the state programs have had full effect.

The DEIR is required to make a good-faith effort to discover and provide all the information it can. (CEQA Guidelines §§ 15003(i), 15144.) Here, the City had enough information to provide the expected total 2050 GHG emissions from operations. It also had enough information to provide the expected the GHG emissions from construction for each year between 2024 and 2043, showing that it has data on the expected year-by-

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

year pace of construction and, by extension, on the pace at which SEDA projects would begin to operate. The DEIR used a widely accepted computer modeling system to predict the GHG emissions from the Project.

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

18 CONT

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

**D. The EIR Fails to Address the Consequences of the City's General Plan Deficiencies.**

**1. The City General Plan is Inadequate and its Deficiencies Preclude Approval of SEDA, Since Such Approval Relates to the General Plan's Deficiencies.**

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

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inadequate].) A permit may be challenged due to general plan inadequacy where the inadequacy is factually related to the characteristics or implications of the permit. (*Garat v. City of Riverside* (1991) 2 Cal.App.4th 259, 293.) 19 CONT

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

AB 170, passed in 2003, enacted as Government Code section 65302.1 subdivision (b), requires that all cities and counties in the San Joaquin Valley amend their General Plans to add specific information on air pollution in their jurisdictions. This information must include "(1) A report describing local air quality conditions including air quality monitoring data, emission inventories, lists of significant source categories, attainment status and designations, and applicable state and federal air quality plans and transportation plans. (2) A summary of local, district, state, and federal policies, programs, and regulations that may improve air quality in the city or county. (3) A comprehensive set of goals, policies, and objectives that may improve air quality consistent with the strategies listed in paragraph (3) of subdivision (a). (4) A set of feasible implementation measures designed to carry out those goals, policies, and objectives." (Govt. Code section 65302.1(c).) Government Code section 65302.1, subd. (e), set a deadline for compliance with GC 65302.1 of "no later than one year from the date specified in Section 65588 for the next revisions of its housing element that occurs after January 1, 2004." 20

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

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

Effective January 1, 2017, SB 1000, codified as Government Code section 65302, subdivision (h)(2), required the adoption into cities' and counties' general plans of an Environmental Justice Element, or adoption of the objectives and policies of an Environmental Justice Element in other General Plan Elements, such Element to be adopted on the first occasion after January 1, 2018, when the city or county adopts or revises two or more general plan Elements. Until it actually adopts an Environmental 21

Justice Element that fully complies with SB 1000, the City does not have an adequate General Plan, and may not approve development projects, including SEDA. The City claims to have adopted environmental justice policies (https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf, p. 1-11) but there is no environmental justice element in the General Plan nor specific identification of which policies the City claims address environmental justice issues. 21 CONT

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

Fresno's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), adopted in 2014 and updated in 2018 and 2022, was "intended to identify integrated land-use and transportation strategies that lower per capita GHG [greenhouse gas] emissions from cars and light-duty trucks, and foster communities that are more equitable, healthy, and sustainable."[20] As required by SB 375, the Fresno RTP/SCS is based on assumptions about future development "that are consistent with adopted local general plans."[21] And the RTP/SCS specifically relies on the City of Fresno's 2014 General Plan as a basis for changes in land use and transportation that will help meet state-mandated GHG reduction targets: 22

> Scenario B [the basis for the land use projections in the 2022 RTP/SCS] was built primarily from existing local general plans, regional growth projections and insights from the REMI economic forecasting model. . . . *The City of Fresno's updated general plan calls for 50 percent of new growth in designated infill development areas and proposes no sphere of influence expansion through 2035, which will help rein in fringe development in a traditionally sprawling region.*[22]

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

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[20] Fresno Council of Governments. 2022. Regional Transportation Plan & Sustainable Communities Strategy. Available at https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/.
[21] Fresno COG, 2022.
[22] Fresno COG, 2022 (Emphasis added).

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

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

The DEIR does not show that adequate water will be available to meet the anticipated demand from SEDA in addition to the demand from the rest of the City of Fresno past 2035, and not out to the purported build-out date (and the build-out date used in the Air Quality and Greenhouse Gas sections of the DEIR, as discussed earlier in these comments.)[23]

The City has long relied heavily on pumped groundwater to satisfy its water needs, as set out at DEIR, page 3-18-3. The DEIR states that prior to 2004, the City obtained 100 percent of its water from groundwater, but had reduced that by half in 2019 and 2020. (DEIR, p. 3.18-5.) However, the City is located over, and has been obtaining pumped groundwater from, the Kings River Subbasin, which has been designated as a critically overdrafted (i.e., over-pumped) basin. (DEIR, p. 3.18-4.) The Kings Subbasin is within the jurisdiction of the North Kings Groundwater Sustainability Agency (GSA), which is required under the Sustainable Groundwater Management (AB 1739 [Dickinson], SB 1168 [Pavley], and SB 1319 [Pavley]) to attain sustainability of groundwater basins by 2040. (DEIR, p. 3.18-3 to 4.) 23

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

The addition of 45,000 people in the SEDA Project will, of course, increase demand for water in Fresno. (DEIR, p. 3.18-7 ["Water supply for the Specific Plan Area

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

will be met with existing supplies initially but will require additional supplies to meet buildout demands."]) The DEIR acknowledges that additional pipe infrastructure will need to be planned, sited, and laid (DEIR, p. 3.18-10). Plans for doing so are sketchy, at best, and it is not clear that the air quality and GHG impacts of that construction were included in the emissions totals in Tables 3.3-8 and 3.8-2. If they are not so included, those Tables are incomplete and misleading, and must be revised in a recirculated DEIR. The effects of supplying water in future years will impact other water users and must also be analyzed.

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

The DEIR analyzes water demand for SEDA only out to 2035. (Water Technical Study, pp. 24-25.) The analysis makes clear that the DEIR is not exact; many "reasonable assumptions" about demand have been made. (Water Technical Study, p. 19.) Still the most favorable (to the City and future developers) conclusion that the Technical Study can reach is that "existing City of Fresno water supplies *could* be sufficient to supply the future development in SEDA in addition to the existing demands." (Water Technical Study, p. 24, italics added.). However, the Technical Study's estimate of water supply to Fresno, including SEDA, bears the disclaimer that the conclusion is valid only "assuming groundwater characteristics are not altered due to climatic events or regulatory influences from SGMA." (Water Technical Study, p. 24.) That same disclaimer appears in many discussions of groundwater in the main text of the DEIR (see DEIR, pp. 3.18-4, 5, 66, 67 and 68; RDEIR, p. 3.10-8, 9, 38, and 39).

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CONT

The DEIR appears to base much of its analysis of groundwater availability on the premise that climate conditions will not change, and the North Kings GSA will not impose conditions that change the current situation. Given both the DEIR's Table 3.8-2 (at p.3.8-11) showing the alarmingly high expected temperature increases in the Fresno area and the over-drafted condition of the Kings Subbasin together with the North Kings GSA's legal mandate to restore over-drafted basins by 2040, it seems more than likely that the Kings Subbasin will experience changes that would not be in the DEIR's favor. The DEIR simply has not shown that water supply will be adequate for the Project to the buildout date of 2050, or even to the date most discussed in the Water Technical Study, 2035. The DEIR is both procedurally and substantively deficient as to water supply, and it should be revised and recirculated.

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

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

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

> First, given the significance of the SEDA to the future development of Southeast Fresno communities, it is of the utmost importance that the City proactively and meaningfully engage residents within and around the planning area. This means that the City must incorporate residents' input into the SEDA and EIR by revising land use designations to include community-led development like higher density housing, green space, affordable commercial and residential spaces, and so on. It must also have policies and implementation measures for active investment into Southeast Fresno neighborhoods by businesses and the City alike in essential infrastructure, services, amenities, and community greening. To do less is to perpetuate the long-held City practice of denying Southeast Fresno residents their rights to shape the future of their neighborhoods and access to opportunity on the same terms as other Fresno residents. 24
> Below you will find additional comments in response to the Notice of Preparation:
> I. The Proposed Land Use Map is Inconsistent with Local and State Climate, Housing, and Transportation Goals and Policies to Build Equitable Climate Resilient Communities
>
> As previously noted, it is unclear and of significant concern to what extent authentic public participation took place during this process from over a decade ago. The former process took place at the tail end of the housing bubble when building single-family homes in the outskirts of the city limits was the priority and norm. This type of “leapfrog” development remains reflected in the SEDA land use map as a large portion of the 9,000 acres is zoned for low-density single-family housing. This is inconsistent with the current climate, housing, and transportation goals that aim to build communities with a variety of development

> and density to make them accessible to various incomes and for communities to get around by alternative modes of transportation.
>
> Further, the second-largest land use is zoned for flexible research and development, which leaves space for more light industrial use, further industrializing south Fresno BIPOC [Black, Indigenous, and People of Color] communities. This current process is in stark contrast with other specific plans prepared and adopted by the City in recent years, which have emphasized resident self-determination in shaping their built environment, planning for complete and healthy communities, smart growth-promoting land use compatibility, and investment strategies and implementation measures designed to bring those plans' vision to life. The City must not proceed with its efforts to further cement unjust and exclusive land-use patterns in City planning practices.
>
> Fourteen years later, we have learned that this growth pattern is economically and environmentally unsustainable as the City now struggles to balance the need to build out the infrastructure and maintain public services in these communities while attending to decades of deferred maintenance in established neighborhoods. This is reflected in the 2015 General Plan praised for limiting unsustainable sprawl growth and focusing on efficient infill development.

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

**G. Affordable Housing Must Be Promoted.**

The RDEIR predicts that by 2050, approximately 31% of the City's housing capacity -roughly one-third - will be located in the SEDA area. (RDEIR, p. 3.14-13.) Accordingly, it is vital to ensure that housing is available in the Project that is affordable to households of all income ranges. The Legislature has emphasized the importance of affordable housing in Government Code section 65580(f). While the RDEIR repeatedly states that the three principles around which the Project is organized are "fiscal responsibility, equity, and environmental sustainability" (see,e.g., RDEIR, pp. ES-1, 1-1, 2-7, 3.1-8, and elsewhere), the EIR itself reflects more of a commitment to rhetoric than to actual equity, at least as to affordable housing. 25

The actual Policies discussed in the RDEIR regarding affordable housing are overwhelmingly phrased as essentially aspirational, not mandatory. For example, Policies LU-2-b (concerning the potential creation of affordable housing incentives in infill areas) and Policy HC-2.2 (concerning the potential to use publicly owned land for affordable

housing through creation of a community trust to own such land for that purpose) both begin with "Consider," making the execution of those policies voluntary and uncertain. This tenuousness is even clearer in Policies UF-1-1 (regarding protection of "unique neighborhoods," including those with affordable housing opportunities [at RDEIR pp. 3.1-4, 3.11-5]); LU-5-f (concerning designation of high-density neighborhoods to support [inter alia] affordable housing [at RDEIR pp. 3.3-28,3.11-8]); HC-2.3 (concerning the spreading of affordable housing throughout SEDA to avoid concentrations in any one area [at EIR, pp. 3.11-15,3.14-10]); and H-1-c ( concerning the development of affordable, special-needs housing near transit or smart-growth areas [at RDEIR, p. 3.14-6, 3.14-10]). Each of these Policies begins with the word "Promote," again making their execution difficult to monitor or evaluate.[24]

25 CONT

It appears that the City is more of a cheerleader than an actual leader in the effort to create additional affordable housing.

**Conclusion.**

The RDEIR must be revised and recirculated with proper instructions for commenting to the public and to public agencies.

Thank you for your consideration of these comments.

Sincerely,

Douglas P. Carstens
Michelle Black

[24] Nor is this hesitancy to require action, not merely endorse it, limited to affordable housing. A word search showed the word "promote" was used 159 times in the RDEIR.

## *Sierra Club, Central Valley Partnership, and League of Women Voters (SC-CVP-LWV)*

*Response to SC-CVP-LWV-1*
The comment is noted. Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to SC-CVP-LWV-2*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to SC-CVP-LWV-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to SC-CVP-LWV-4*
The comment is noted. Please refer to *Response to SC-CVP-LWV-5* through *Response to SC-CVP-LWV-25*. No further response is required.

*Response to SC-CVP-LWV-5*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

Future development associated with the proposed project would be required to comply with applicable General Plan policies, as well as policies contained within the proposed Specific Plan. All future development in the Plan Area would require environmental review pursuant to CEQA and implement feasible mitigation, as necessary. No further response is required.

*Response to SC-CVP-LWV-6*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to SC-CVP-LWV-7*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

As discussed in Section 3.2, Agricultural Resources and Forestry Resources, of the Draft PEIR, the proposed project would include a Buffer District, which would discourage expansion by clearly delineating the urban-rural edge, unlike the patchwork of rural ranchette development typically found at the rural outskirts of cities. Future development associated with the proposed project would be required to comply with applicable General Plan policies, as well as policies contained within the proposed Specific Plan. All future development in the Plan Area would require environmental review pursuant to CEQA and implement feasible mitigation, as necessary, and MM AG-1 requires mitigation for the potential loss of important farmland. No further response is required.

*Response to SC-CVP-LWV-8*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

The comments regarding pending legislation and regulations are noted, but do not have any relevance related to a CEQA level analysis which must provide evaluation against thresholds in place at the time of the NOP. The air quality impacts are fully disclosed in Section 3.3, Air Quality, of the Recirculated Draft PEIR. As noted in the comment, the analysis correctly identifies the impacts as being significant. Therefore, the analysis applied relevant mitigation in accordance with the project-specific mitigation measures that would ensure future developer applicants must analyze project-specific air quality emission impacts and identify mitigation measures to reduce impacts to less than significant. The analysis concluded that implementation of the Specific Plan could result in a significant and unavoidable air quality emissions impact. No further response is required.

*Response to SC-CVP-LWV-9*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

The Recirculated Draft PEIR fully analyzes project consistency with the Air Quality Plan (AQP) by demonstrating whether the proposed project would (1) conform to the growth assumptions in the AQP, and (2) comply with applicable control measures in the AQP. The City, as Lead Agency, has elected to utilize this industry standard approach for analyzing consistency with AQP because:

- AQP emissions inventories and attainment modeling are based on growth assumptions for the area within the air district's jurisdiction.

- AQPs rely on a set of air district-initiated control measures, as well as implementation of federal and State measures, to reduce emissions within their jurisdictions, with the goal of attaining the air quality standards.

The Valley Air District has prepared several plans to attain the National Ambient Air Quality Standards (AAQS) and California AAQS. Emission reductions achieved through implementation of the Valley Air District's new source review (NSR) offset requirements are a major component of the Valley Air District's AQPs. The established thresholds of significance for criteria pollutant emissions are based on the Valley Air District's offset requirements for stationary sources. Therefore, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "not conflict or obstruct implementation of the District's air quality plan."

However, as discussed under Impact AIR-2, due to the size of the proposed development, the proposed project could locally exceed State or federal air quality standards and significantly contribute to cumulative nonattainment pollutant violations under cumulative conditions. Because the recommended Valley Air District significance thresholds are based on, and intended for, individual projects and not planning-level projects such as the proposed project, there is not mitigation available that would reduce the criteria pollutant emissions from the entire proposed plan's construction or operation to less than significant levels in comparison to the Valley Air District's project-level thresholds. Thus, the Recirculated Draft PEIR conservatively concluded that implementation of the proposed Specific Plan would result in an increase in the frequency or severity of existing air quality violations; cause or contribute to new violations; or delay timely attainment of the AAQS.

All future implementing projects subject to CEQA must adhere to MM AIR-1a through MM AIR-1d and MM AIR-4, which require construction and operational-level analysis for criteria pollutants and TACs, to reduce significant air quality impacts. This approach is consistent with Section 15152 of State CEQA Guidelines for preparing first-tier environmental documents.

The Recirculated Draft PEIR CalEEMod analysis evaluated the entire Specific Plan buildout and the entire construction schedule was normalized to a 6,874-working day (i.e., 26-year) schedule. This is consistent with the statement that buildout of the proposed project would occur over approximately 25 years or later. Because the analysis conservatively and reasonably assumes overlapping between future implementing projects, the entire construction duration reflected an overlapping schedule that would last from 2024–2043. If construction is moved to later years (e.g., buildout by 2050), this analysis would be considered even more conservative due to technological advancement in construction equipment such as phasing out of diesel equipment.

As identified in Section 3.3, Air Quality, of the Recirculated Draft PEIR, at a programmatic level, quantification of DPM from future project construction and operations would be speculative. However, the analysis does appropriately identify that implementation of MM AIR-1a through MM AIR-1d, future development projects subject to environmental review under CEQA would be required to analyze potential TAC emissions and include mitigation as appropriate. However, the analysis concluded that even with implementation of these measures, cumulative operational emissions resulting from future development would likely exceed Valley Air District thresholds,

contributing to the nonattainment designation of the San Joaquin Valley Air Basin (SJVAB) for the health-based State and national AAQS. Therefore, the potential impacts from the proposed project to sensitive receptors would be significant and unavoidable. Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts at the project level.

The analysis in Section 3.3 Air Quality, of the Recirculated Draft PEIR, shows the quantification of construction emissions under full buildout conditions, and quantification of project operations, based on the level of detail available at the time of the preparation of this document. The analysis requires implementation of MM AIR-1a through MM AIR-1d to reduce air quality emission impacts to less than significant at the project level. The comment does correctly identify that the analysis in the Recirculated Draft PEIR concludes that even with implementation of project-specific mitigation measures, cumulative operational emissions resulting from future development would likely exceed Valley Air District thresholds, contributing to the nonattainment designation of the SJVAB for the health-based State and national AAQS. The potential impacts from the proposed project to sensitive receptors would be significant and unavoidable. Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts at the project level. No further response is required.

*Response to SC-CVP-LWV-10*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

The analysis in Section 3.3, Air Quality, of the Recirculated Draft PEIR, shows the quantification of construction emissions under full buildout conditions, and quantification of project operations, based on the level of detail available at the time of the preparation of this document. The analysis requires implementation of MM AIR-1a through MM AIR-1d and MM AIR-4 to reduce air quality emission impacts to less than significant at the project level. Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts to less than significant at the project level. No further response is required.

*Response to SC-CVP-LWV-11*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

The analysis in Section 3.3, Air Quality, of the Recirculated Draft PEIR requires implementation of MM AIR-1a through MM AIR-1d and MM AIR-4 to reduce air quality emission impacts to the greatest extent feasible at the project level. Section 21081.6 of the CEQA and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the

mitigation measures occurs during project implementation. The MMRP contains specific timing requirements and verification procedures to ensure enforceability of mitigation measures.

The Recirculated Draft PEIR prepared for the proposed project concluded that project implementation could result in potentially significant effects on the environment, and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. The MMRP documents how and when the mitigation measures adopted by the Lead Agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Recirculated Draft PEIR. No further response is required.

*Response to SC-CVP-LWV-12*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As described in the text preceding Section 3.3, Air Quality, Table 3.3-9 of the Draft PEIR, it "shows the net daily operational emissions for full buildout of the proposed project in 2050." Thus, it is identifying the anticipated maximum annual operational emissions that would be expected to occur under full buildout of the proposed project. Thus, the analysis has provided full disclosure and identified the reasonable worst-case annual emissions associated with implementation of the proposed project.

The comment also erroneously implies that ozone impacts were not fully disclosed. However, as explained in Section 3.3, Air Quality, on page 3.3-47 of the Recirculated Draft PEIR, ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ozone precursors, such as reactive organic gas (ROG) and $NO_X$ emissions in the presence of sunlight. The contribution of ozone precursors to a region's ambient ozone concentrations is the result of complex photochemistry. Because of the reaction time involved, peak ozone concentrations often occur far downwind of the precursor emissions. Therefore, ozone is a regional pollutant that often affects large areas. In other words, because of the complexity of ozone formation, the pounds or tons of emissions from a proposed project in a specific geographical location does not equate to a specific concentration of ozone formation in a given area, because in addition to emission levels, ozone formation is affected by atmospheric chemistry, geography, and weather. Because Valley Air District attainment plans and supporting air model tools are regional in nature, they do not allow for analysis of the health impacts of specific projects on any given geographic location.

In contrast to attainment models, CalEEMod (one of the models used by the City in conducting air quality analyses) is designed to calculate and disclose the total emissions expected from the construction and operation of a proposed project (tons/year). The estimated emissions are then compared to Valley Air District significance thresholds, which are in turn keyed to reducing emissions to levels that will not interfere with the region's ability to attain the federal and State ambient air quality standards. This protects public health in the overall region, but there is currently no methodology to determine the impact of emissions on concentration levels in specific geographic

areas. Neither the Valley Air District nor any other air district currently have methodologies that would provide lead agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's total emissions. Therefore, the analysis of direct health impacts due to emissions from future is not yet feasible.

In contrast to regional attainment models and techniques to calculate total emissions for projects, methodologies are available to prepare Ambient Air Quality Assessment (AAQA) and HRA evaluations of the health effects on a detailed, project-specific basis. These assessment techniques require a large amount of detail regarding a proposed site-specific project and nearby receptors, and the data necessary to scale up these types of analyses to a Plan Area-level would be infeasible and would involve an undue level of speculation regarding the detailed operations of future land uses and receptors.

Based on the foregoing, the City believes that the assumptions that would be used in the requested analysis would be unduly speculative, and that there are currently no emissions models or methodologies available that are consistent and reliable enough to prepare a meaningful analysis of the specific health effects from county-wide air emissions.

Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts to less than significant at the project level.

As stated on page 3.3-38 of the Recirculated Draft PEIR, analysis was performed consistent with the guidance and methodologies provided by the Valley Air District's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). In addition, the modeling assumptions and input and output modeling data are all included in Appendix B of the Recirculated Draft PEIR. As shown in the modeling data, the drop in emissions is due to the CalEEMod default emission factors for construction equipment in future years accounting for State off-road equipment regulations that ensure cleaner fleets will be operating in future years. This information is fully disclosed in the Recirculated Draft PEIR, and the analysis meets the requirements under CEQA for evaluating programmatic level analysis. No further response is required.

*Response to SC-CVP-LWV-13*
The comment explaining recent case law and ARB recommendations is noted. The comment that the Recirculated Draft PEIR does not discuss the disparate effects air pollutant emissions increases may have on the disadvantaged communities within SEDA and elsewhere within the City is noted.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Exceeding the Valley Air District's project level thresholds does not constitute a particular health impact to an individual nearby because project-level thresholds are in tons/year emitted into the air, whereas health effects are determined based on the concentration of a pollutant in the air at a

particular location. Localized health impacts would be addressed at the project-level when future discretionary projects are being considered. In addition, the analysis does apply mitigation that would reduce health risk impacts on a project-specific level. For example, the analysis applies MM AIR-1c, which requires proposed industrial or warehouse projects prepare an HRA in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the Valley Air District. This measure also includes a list of control technologies for toxins that could be used to reduce potential localized health impacts.

Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts to less than significant at the project level.

The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. There are currently no emissions models or methodologies available that are consistent and reliable enough to prepare a meaningful analysis of the specific health effects from county-wide air emissions. Therefore, the analysis meets the requirements under CEQA for evaluating programmatic level impacts and identifies measures to reduce those impacts to less than significant at the project level. No further response is required.

*Response to SC-CVP-LWV-14*
The comment is noted. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5$^{th}$ District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a

Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs. No further response is required.

*Response to SC-CVP-LWV-15*
The comment is noted. The proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

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legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs. No further response is required.

*Response to SC-CVP-LWV-16*
The Recirculated Draft EIR is a program level analysis and, as such, does not include specific analysis of any specific future development. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. The Fresno Clovis Metropolitan Area (FCMA) Short Range Transit Plan (SRTP) proposes specific recommendations for implementing the long-range objectives of Fresno County's 2022-2046 Fresno COG RTP/SCS and will guide the provision of transit services in the FCMA over the next 5 years. There are plans to extend the Fresno bus rapid transit line (Route 1) into the Plan Area in the future and to add local transit routes to significant origins and destinations. To implement these extension plans, MM TRANS-1d requires collaboration with the Fresno Area Express (FAX) to provide new transit services to the proposed project and within the proposed project area. The City may appropriately rely on the information in the SRTP in analyzing impacts associated with the proposed project. No further response is required.

*Response to SC-CVP-LWV-17*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. Additionally, please refer to *Response to SC-CVP-LWV-14* and *Response to SC-CVP-LWV-15*. No further response is required.

*Response to SC-CVP-LWV-18*
The comment is noted. For informational purposes, the Recirculated Draft PEIR disclosed a worst-case scenario of GHG emissions resulting from construction of the described potential land use development all occurring at the same time. This high-level approach is consistent with the proposed project's program-level environmental analysis that serves as a "first-tier" document to assess and document the broad environmental impacts of the Specific Plan with the understanding that more detailed site-specific environmental reviews may be required to assess future projects implemented under the program.

Further, the construction analysis is conservatively based on emissions from a baseline construction year that does not incorporate a year-by-year profile of the future truck emissions as new trucks are phased into the off-road fleet mix over the next 30 years. Trucks used for construction and operations would meet United States Environmental Protection Agency (EPA) and California Air Resources Board (ARB) regulatory requirements that would ensure there would be a higher percentage of alternatively fueled and clean trucks on the road. Quantifying these future reductions for inputs to the construction emissions would be speculative on a quantitative basis.

The analysis also identified that implementation of individual development project-specific mitigation measures presented in Section 3.3, Air Quality, of the Recirculated Draft PEIR would further reduce construction-related GHG emissions. For instance, MM AIR-1a would require the use of "Super-Compliant" architectural coatings during construction to reduce the generation of volatile organic compound (VOC) emissions, which are also GHGs with low global warming potential (GWP). The analysis identified that with implementation of these project-specific measures, construction GHG emissions would be reduced to less than significant on an individual project-by-project development basis.

As explained above, the proposed project's GHG significance is determined based on consistency with the applicable State, regional, and local plans and policies. Because the GHG construction emission quantification was presented for informational purposes only and future implementing projects would need to demonstrate consistency with the applicable plans and policies, the Draft PEIR appropriately disclosed GHG impacts, and no further analysis is needed.

*Response to SC-CVP-LWV-19*
The comment is noted. Please refer to *Response to SC-CVP-LWV-20* through *Response to SC-CVP-LWV-22*. No further response is required.

*Response to SC-CVP-LWV-20*
The comment is noted. This comment raises questions regarding the adequacy of the General Plan itself and does not raise any issues concerning the sufficiency of the Recirculated Draft EIR in identifying and analyzing the possible impacts on the environment or ways in which the project's significant effects might be avoided or mitigated, especially specific alternatives or mitigation measures. See State CEQA Guidelines Section 15204. Comments regarding the sufficiency of the General Plan will be forwarded to the decision-makers; however, as they do not raise any environmental issues, no further response is necessary.

*Response to SC-CVP-LWV-21*
The comment is noted. This comment states that the General Plan does not include an environmental justice element. This comment does not raise any issues regarding the analysis or conclusions in the Recirculated Draft PEIR. CEQA requires an analysis of "the physical changes in the environment which may be caused by the project." State CEQA Guidelines Section 15064(d). CEQA requires such an analysis irrespective of socio-economic status. The Recirculated Draft EIR evaluated potential impacts in accordance with the Public Resources Code and State CEQA Guidelines. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. As discussed in this Master Response, the lead agency will consider these factors in making a decision on project approval; however, the scope of the Recirculated Draft PEIR focuses on potential adverse physical impacts to the environment associated with the proposed project. No further response is required.

*Response to SC-CVP-LWV-22*
The comment is noted. The proposed project's consistency with the Regional Transportation Plan (RTP) prepared by the Fresno Council of Governments (Fresno COG) is discussed in Section 3.6, Energy, Section 3.8, Greenhouse Gas Emissions, and Section 3.17, Transportation and Traffic. As discussed in the Recirculated Draft PEIR, average VMT per capita under existing conditions for the City is 13.1 miles compared to 16.2 miles for the County of Fresno (approximately 19 percent less than the county average). Through the implementation of the General Plan, in 2035, the City VMT per capita (16.5 miles) is forecast to be 17 percent less than the County VMT per capita (19.9 miles). Corresponding numbers for VMT per employee indicate that the City average is forecast to be 13 percent lower than the 2035 County average. This is a greater reduction in VMT than forecast by the Fresno COG in the RTP, a 12 percent reduction in VMT for the RTP project. The buildout of the proposed project would serve to further reduce VMT per capita in the region by locating high-density housing near service amenities and jobs. As such, the proposed project is appropriately analyzed for consistency with the RTP. The buildout of the proposed project would serve to further reduce VMT per capita in the region by locating high-density housing near service amenities and jobs. Total VMT for the SEDA Specific Plan was calculated by multiplying daily volumes on the projected network by distance traveled. As described above and in the Recirculated Draft PEIR, the VMT per Service Population in the project area with the project built out in 2035 drops from 45.72 to 5.07 although total VMT is projected to increase due to population and employment growth. As such, the Recirculated Draft PEIR found a less than significant impact related to VMT in Impact TRANS-2.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to SC-CVP-LWV-23*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to SC-CVP-LWV-24*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to SC-CVP-LWV-25*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

| | |
|---|---|
| **From:** | Brett Thompson |
| **To:** | Brett Thompson; LongRangePlanning; Sophia Pagoulatos; Patience Milrod; Jerry Dyer; Mike Karbassi; Miguel Arias; Tyler Maxwell; Luis Chavez; Garry Bredefeld; Nelson Esparza; Thomas Esqueda; TJ Miller; Jeff Wabbit; helen ramming; Wes Bigham; Moses Deleon; Sandi Sandberg; Carol Bloesser; Daniel O"Connell; Marilyn Mathew; Jerry Prieto; Gene Branch; Lyle Nelson; Betty Cederquist; Deborah Bigham |
| **Subject:** | [WARNING: UNSCANNABLE EXTRACTION FAILED]SEPO Letter of Opposition to proposed SEDA plan |
| **Date:** | Monday, March 24, 2025 4:38:45 PM |

**External Email:** Use caution with links and attachments

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street Room 3065
Fresno, Ca 93721
Longrangeplanning@fresno.gov

We the People of Southeast Fresno, specifically the Southeast Property Owners (SEPO) thank you for the opportunity to comment on the proposed Southeast Development Area (SEDA) plan's Recirculated Environmental Impact Report.

We are writing to express our opposition to the City of Fresno's Southeast Development Area (SEDA) plan, particularly due to the significant adverse environmental impacts it could have on our county and surrounding ecosystems. While the objectives of the plan to

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promote energy sustainability are commendable, we believe the implementation as currently outlined may lead to unintended consequences that would negatively affect our environment, wildlife, and quality of life.

The City of Fresno proposed the SEDA plan to residents as:

Can Fresno grow in ways that equitably expand our economy and housing stock while protecting public health? Can “greenfield” growth occur that pays its own way and does not negatively affect existing neighborhoods? Can we build communities where schools, shopping, and parks are within walking distance of every student, worker, and resident? Can we attract and keep highly educated workers and raise collective potential of our diverse population? The City of Fresno Suggests “YES” while the Environmental Impact Report says “No” to most of these questions!

1. The proposed plan to expand our economy and housing stock would generate an estimated 500,000 TONS of Carbon Emissions subjecting residents to unhealthy breathing conditions.

2. Without an attached budget for the SEDA plan the City’s suggestion that this plan can pay it’s own way is a lie! Listed below are some of the many negative affects incited on existing neighborhoods through buildout of the SEDA plan:

following topical areas of concern:

1
CONT

Aesthetics, Light, and Glare

Agricultural Resources and Forestry Resources Air Quality

Biological Resources

Cultural Resources and Tribal Cultural Resources Energy

Geology, Soils, and Seismicity

Greenhouse Gas Emissions

Hazards and Hazardous Materials

Hydrology and Water Quality

Land Use and Planning Mineral Resources

Noise

Population and Housing Public Services

Recreation

Transportation and Traffic Utilities and Service Systems Wildfire

Mandatory Findings of Significance

3. The plan proposes building 45,000 housing units and providing 37,000 jobs. This calculation equals .822 jobs per household, this is without job competition from residents living outside the SEDA. How can residents walk to work if the plan doesn't even propose enough jobs for a 1:1 (house to job) ratio? 2

A public trails plan has not been released to the public for the SEDA plan, how does the City propose a plan reliant on reducing vehicle miles traveled through citizens accessing jobs, school, shopping, and parks without proposing a plan for a trails system? 3

First and foremost, the potential for increased urban sprawl is a major concern. As Fresno expands to accommodate new energy infrastructure, public utilities, and residential developments, this may result in the encroachment of your city into valuable natural habitats. These habitats are vital to preserving biodiversity, and further urbanization will fragment ecosystems, placing pressure on wildlife populations and reducing critical open spaces. The loss of these areas, particularly agricultural lands, could also diminish local food production, which is an already precarious issue given the state's water and regulatory challenges.

To show the City of Fresno's planning department lacks the ability to plan city expansion in a safe manner, we present to you the City of Fresno willful disregard to Southeast property owners health. The City of Fresno's planning staff scheduled an informative event on July 24th 2023 at 5pm at the Hmong Alliance Church located at 8234 E. Belmont Fresno, Ca 93727. This event was part of a required 4 part seminar to present and educate residents of the City's proposed SEDA Development Plan. City planning staff obtained a conference room to host their meeting at 5pm with weather conditions of extreme heat advisory (108degrees) without a working air conditioner to cool the room to safe standards, fans or air circulation devices were not available to comfort attendees. Doors were propped open to hopefully catch a draft. Residents who remained at the meeting used pamphlets and educational printouts as cooing aids by way of fanning our faces, many residents couldn't bare the heat and were forced to leave the seminar due to health concerns of overheating, food was provided by City Planning staff and left exposed to unhealthy storage temperatures. Many of our residents are elderly and cannot sand for long periods of time. Prior to the start of the event, Sophia was overheard instructing planning staff members to "stack chars behind information boards to prevent them from sitting and to keep them moving" 4

At two "drop in" events the grassroots group (SEPO), a group of homeowners currently living within the proposed SEDA, was told their educational literature could not be distributed on the grounds the meetings were hosted on: this was seen as an attempt to limit free speech. These events were hosted on publicly funded school sites further worsening City Planning Staff's attempt of silencing opposition.

At "drop in" meetings hosted at Sequoia Elementary on July 27th 2023 and "drop in" meeting hosted at Young Elementary on August 12, 2023 City planning staff requested Fresno Police Department officers presence. These officers positioned their patrol car, with engine running at the entrance gate. Multiple Armed officers were positioned near the

entrance of the auditorium as a show of force by City of Fresno Planing Staff. Many residents were uncomfortable with armed personnel watching over the meeting some were observed entering the parking lot and leaving once they saw police presence.

***The City planning staff lacks the ability to plan a “healthy, safe and comfortable” informational meeting, while at the same time asking residents to trust City Planning Staff to develop a plan to expand their city limits with citizens health a priority?

4 CONT

Budget,Budget Budget! We demand an estimated Budget and an extension to the public comment period for the Recirculated EIR a minimum of 30days past the release of the estimated Budget!

Dear Public Records Officer,

I am writing to formally request the release of documents related to the estimated budget for the SEDA plan that was delivered to City Manager Georgeanne White in December 2024. This request is made under the California Public Records Act (Gov. Code § 7920.000 et seq.), which grants public access to government records in the interest of transparency and accountability.

According to a March 3, 2025, FresnoLand publication by Gregory Weaver, officials have yet to publicly disclose a cost estimate, despite consultants providing one in December 2024. Additionally, during a December 13, 2024, meeting, Councilmember Arias referenced an estimated range between $500 million and $4 billion for the SEDA plan. City Manager Georgeanne White stated that a more specific figure would be released to the public within 90 days. As that timeframe has now passed, we request the immediate release of this financial estimate, as previously promised.

5

We acknowledge the City’s previous response citing the deliberative process privilege as a basis for withholding the requested records. However, we respectfully challenge this exemption as applied in this case. The budget estimate in question is a factual financial document rather than a pre-decisional deliberative record. The California Supreme Court has recognized that factual information contained within deliberative materials is not necessarily exempt from disclosure. In Times Mirror Co. v. Superior Court (1991) 53 Cal.3d 1325, 1338, the court ruled that the deliberative process privilege applies when disclosure would expose the decision-making process in such a way as to discourage candid discussion within an agency. However, it does not categorically shield all financial records or estimates from public scrutiny.

Furthermore, under Evid. Code § 1040, the public interest in non-disclosure must clearly outweigh the public interest in disclosure. Given that public funds were used to generate this budget estimate, and considering the importance of transparency in government spending, we argue that the public interest in disclosure outweighs any speculative harm from release.

If certain portions of the requested records are deemed exempt, I request that any reasonably segregable portions be provided. If this request is denied in whole or in part, please provide a written explanation citing the specific legal basis for withholding the records, as required under the Public Records Act. We would appreciate a response within the statutory timeframe. You may reach us via the contact information provided.

A citizen has, through submission of a Public Records Request reference #R074276-030425 requested the release of the SEDA plan estimated budget as presented to City Manager Georgeanne White in December of 2024. The City of Fresno has delayed and refused release of this pertinent information.

***How can citizens reply with comment in full detail to the EIR "Fiscal Impact" section if the City is deliberately withhold the budget information?

The City planning Department is proposing a massive development plan without releasing the estimated budget to citizens prior to the closure of the public comment period of the recirculated EIR. Taxpayer money was spent by government officials to hire an independent firm to quantify the estimated expense of this proposed project. We the People of Southeast Fresno demand the City extend the public comment period on the proposed Southeast Development Area EIR, a minimum of 30days past the release of the budget by city officials. We also demand all comment letters submitted against the Draft EIR along with comment letters submitted against the Recirculated EIR be included on any future revisions or releases to EIR documents. Silencing community input due to recirculation is unacceptable. Withholding important decision making information is not acceptable and inappropriate.

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CONT

As proposed in the Recirculated EIR: Executive Summary-2
Fiscal Responsibility:
• Provide self financing for the development and ongoing maintenance of the SEDA that does not reduce City of Fresno resources dedicated to other areas of the City or burden Fresno residents outside of the SEDA.
• Holistically coordinate infrastructure to integrate efficiencies that piecemeal planning cannot.
• Invest in resource conserving techniques for stormwater systems, water supply, and trail and open space networks to save on infrastructure and mitigation costs.

This plan does not provide self financing as existing citizens within the SEDA have been told we would be required and responsible to hook to city water infrastructure at our expense, potentially costing in excess of $50,000. for city water hook up along with $50,000 or more to hook to city sewer infrastructure. These costs could also inflate due to demands to condemn our existing private utilities infrastructure.

Found on the Fresno.gov website under Frequent Asked Question:

What causes sand in my water?
"Although not harmful to your health, sand in the water can be a nuisance for customers, as well as City staff responsible for maintaining the water system. The geologic formations from which we pump our groundwater include layers of sand, gravel, and clay particles. Older wells constructed without modern gravel filters and screens can periodically pump sand out from the formation.
Fresno has about 100 such wells, which we plan to replace as funds allow. Each new municipal well costs more than
$400,000."

Through these statements the City OF Fresno acknowledges its infrastructure to supply current residents with potable water is failing and in need of repair. The statement "as funds allow" provides information that the City of Fresno does not have funds to maintain their existing infrastructure.
Repairs costing an estimated $40,000,000.00 "as funds allow" should be the city's priority, rather than expanding the City's footprint and taking on more citizens needs. Of the City's existing 271 water wells, over 1/3 of the Citywide water wells need to be replaced to provide clean drinking water to existing City of Fresno residents. The City of Fresno shall fulfill its duty to provide services to existing residents before implementing expansion plans into Fresno County. The statement that sand is "not harmful to your health" is simply not true. Sand, along with sediment, and heavy metals can indeed cause heath effects to residents and their livestock who drink water contaminated water provided by the City. Sand and sediment in water supply can also cause damage to homeowner's plumbing systems, appliances, and can stain clothes or dishes.

***If the SEDA plan is passed, how does the City of Fresno propose to fund and maintain new residents and existing residents within the SEDA with clean potable water, while postponing replacement of existing infrastructure?

5
CONT

City of Fresno Public Utilities representative - False information provided to citizens.

At a Drop in meeting hosted by The city of Fresno's planning department on July 24, 2024 Peter Maraccini representing the public utilities department. presented information to Southeast property owners that is non factual when compared to the City Of Fresno's water and sewage connection documentation. Mr Maraccini was documented on film stating :
"You are NOT required to be on city water, when a water main goes across, it's your choice wether to connect or not. Majority of the water supplied will come from the Kingsriver, that goes to the surface treatment plant located on Armstrong" if you have an existing well we cannot impose a meter on you, but if you drill a new well, they will be metered."

This statement by Mr. Maraccini (recorded on video)
directly contradicts information emailed to a resident of Southeast Fresno prior to the "drop in meeting" on July 24, 2024. We suggest Mr. Maraccini deliberately provided false information to residents at the "drop in meeting" to falsely ease our concerns of required hook up to City of Fresno utilities. Below you'll find the email sent on 8-2-2023 by Mr. Maraccini of the City of Fresno's Public Utilities Department:

From Peter Maraccini <Peter. Maraccini@fresno.gov>

Date Wed 8/2/2023 11:52 AM

To Jerry Prieto <jerryncindy@hotmail.com>

Cc Adrienne Asadoorian <Adrienne.Asadoorian@fresno.gov>

Hi Jerry,

My apologies for the delayed response. The first part of the long email helps explain the timing of the connection. I then provide current rates at the end of the email.

Sewer Connection: Connection to a sewer once available is mandatory per Fresno Municipal Code and per Fresno County Ordinance Code, meaning annexation would not need to occur for the connection to be mandatory. Here are some excerpts for clarification:

• (If annexed) Fresno Municipal Code, Section 6-303: "If a sewer main has been constructed and is available for use in any public street, alley or right-of-way within 100feet for the first unit plus 50 feet for each additional unit, to be measured along such public street, alley or right-of-way from the nearest property line to the sewer main... buildings or structures connected to a septic tank.

shall be connected to the regional sewer system within three years after the regional sewer system becomes available"

5
CONT

• Exception: "In the R-A, AE-5, and AE-20 zone districts (County Designated Zones), on a lot at least two net acres in size, and provided the lot, if not served by a community water system, contains one dwelling unit or septic system per 2.0 acres, such connection may be deferred until the use of the land changes either through district amendment or special permit."

• (If not annexed) Fresno County Ordinance Code 14.12.030: "Buildings or structures connected to a septic tank or cesspool, at the time a public sewer becomes available, shall be connected to the public sewer within three years after the sewer becomes available and written notice thereof given by the county...Availability of a public sewer means a public sewer which has been constructed and is available for use in any public street, alley or right-of-way within one hundred feet of the first unit, plus fifty feet for each additional unit, to be measured along such public street, alley or right-of-way from the nearest point on the premises to the sewer."

• Exception: "The building official shall grant an administrative exception to the requirement of a public sewer connection if he determines that any one of the following conditions exist... Physical conditionsbetween the public sewer and the premises make it impractical to connect to the public

sewer" (only listed most likely of all reasons)

Water Connection: Unlike sewer, there are no City or County ordinances regarding mandatory connection. However, upon annexation, the Department of Public Utilities typically mandates thefollowing via the Extraterritorial Agreement and/or Annexation Agreement:

• Upon annexation, the domestic water must be supplied by the City when the water main becomes available.

• For larger lots (2 acres or more) zoned for agricultural purposes, the City may allow the property owners to retain a well exclusively to be used for irrigation. In that case, the property owner will be required to install a meter on their well and pay a recharge rate as dictated by the Master Fee Schedule. The property owner will also have to install a backflow prevention device, which has its own associated fee and requires yearly checks by the City of Fresno Water Division. Should the land use change to something other than agricultural, the City would revisit this requirement.

• In all other cases where the property is not zone for agricultural purposes, the well must be properly destroyed.

• Property owners may protest the terms of the Annexation Agreement to the Director of Public Utilities.

• Note: The above stated requirements are internal policy set by the Department of Public Utilities and may change. Until the requirements are included in the Extraterritorial Agreement and/or Annexation

Agreement, nothing is final.

5
CONT

Who pays fort h e cost of the water and sewer connection?

• The cost for connection is to be paid by the property owner. The City does offer loan programs to allow

repayment for the connection be included in monthly sewer and/or water statements over the course of several years (max 15-year term).

• Cost based on Master Fee Schedule: https://www.fresno.gov/w-content/uploads/2023/06/MFS- Public-Utilities5 7 55 7 7CPI-UGM-ED-2023.07.01.pdf

• The City cannot pay or provide loans for any private side improvements. This includes costs to build sewer or water lines from the home to the property line as well as destruction of the private well.

Current Rates for Water, Sewer, and Recharge:

• All rates are found in the Master Fee Schedule and my be updated periodically: https://www.fresno.gov/w-content/uploads/2023/06/MFS-Public-Utilities_575_577_CPI-UGM-ED-2023.07.01.pdf

• For a single-family residence, the rates are:

• Sewer: $25.75 (Sewer Service) + $0.06 (Pretreatment) = $25.81

• Water (City service):

• Metered Service Rate is dependent on meter size- Typical for a single family residence would

be S13.50 (3/4-inch service to $20.80 (1 1⁄2-inch service) • Quantity Charge = $2.33 per 1,000gallons

of Wa t e r (private irrigation well):

• Quantity Charge = $0.29 per 1,000 gallons

• Backflow Prevention Program Fee= $2 per month (if you have a private well and receive separate City service, a backflow prevention device will be needed)

• Rates apply upon connection to the City's water or sewer system.

Please let me know should you have any other questions.

Best Regards, Peter

Due to the many contradictory statements made by Public Utilities representative Mr. Maraccini, both in person and via Email, we request the City correctly identify proposed costs and regulations to be placed on existing neighborhoods prior to moving forward with the SEDA plan.

5 CONT

Expanding City boundaries comes with property owners loss of rights not mentions in the EIR:

Through city boundary changes, citizens will loose the right to discharge firearms on their property. “No shoot zones” are established within certain distances of City boundaries. Changes of boundaries will also affect territory that citizens can currently legally take wildlife utilizing firearms. Studies of how restrictive hunting rights will affect wildlife populations have not been completed.

Through zoning and boundary changes, Existing citizens will have limitations laced upon their properties which will limit animal husbandry rights. Loss of these rights will subject property owner to not only change how property owners keep animals, the loss of rights will affect future property values upon resale by existing homeowners .

6

While Fresno County lays out guidelines for “Rural Residential Zoning” the City of Fresno included a light green section of their proposed SEDA map identifying properties within their SEDA plan as “Rural Residential”. The City of Fresno Planing website does not currently identify “Rural Residential” as a Zoning section or give specific guidelines for “Rural Residential”. Many lots of property within the proposed SEDA map are located within the “Rural Residential” designation. Some of these lots are less than 2 acres, supplied with FID services and / or currently use existing private water wells for irrigation. In communications from City of Fresno’s Public Utilities Department lots less than 2 acres would loose their right to continue use of private water wells for irrigation purposes and be forced to irrigate using water provided by City of Fresno water connections. These loss of rights are unacceptable and costly to residents needing to irrigate their small farms.

7

Stated in the recirculated Draft in the executive summary section Impact Land-2

"The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding mitigating an environmental effect".

Many properties within the SEDA are under contract with the Williamson Act. Changing these properties would absolutely have an adverse effect on the environment when these properties are changed from Restricted to Ag use to develop of homes, industrial, parks, trail, or green space.

7 CONT

Stated in the recirculated Draft EIR Executive Summary - Impact GHG-1

"The proposed project project would NOT generate direct and indirect Greenhouse Gas emissions with NONE mitigation required"

Level of significance after mitigation N/A

This statement is simply not true when compared to information contained in the draft EIR:

8

Impact GHG-1

"The proposed project WOULD generate direct and indirect Greenhouse Gas emissions" with no feasible mitigation : significant and unavoidable impact"

In section cumulative impact within the executive summary of the recirculated draft : The proposed project would have a less than significant cumulative impact on Greenhouse Gas emissions with no required mitigation

While the draft EIR cumulative impact states:

"The project would have a significant and unavoidable cumulative impact on Greenhouse Gas emissions: no mitigation avoidable with a significant and unavoidable impact."

Subjecting residents of the Central Valley to an additional 500,000 TONS of carbon emissions annually due to the buildout of the SEDA plan is unhealthy.

9

Air pollution fines from these increased carbon emissions estimated at $25,500,000.00 annually puts an undue financial responsibility on a City with an estimated $20,000,000.00 budget deficit. These fines, when coupled with infrastructure costs for upgrades to the city's current infrastructure, make the SEDA plan an unviable option to move forward with.

10

Power Grid demands: With PG&E as the primary source for Fresno county residents to receive electrical utilities, their power grids are already stressed and often not in working condition during extreme weather including hot months in the summer and cold months in the winter. The proposed SEDA plan will subject existing power grid infrastructure to additional stressors potentially causing more power outages: leaving residents in vulnerable and unhealthy situations. How does the City propose to protect new and existing neighborhoods from power grid overloads? The SEDA plan and EIR fail to answer this question.

11

Water / hydrology  Impacts:

Existing residents within the City of Fresno are to follow mandatory watering schedules to conserve water. Subjecting existing neighbors to these regulations
whom currently provide themselves with water through private wells takes away our rights and places a financial burden on existing residents.

We The people of Southeast Fresno determine the SEDA plan and EIR to be a failure by the planning department, this plan only benefits the builders and investors of income properties. This plan fails to protect public health and resources. We urge City Council Members, The County Board of Supervisors, Mayor Jerry Dyer and Planning Staff to HAULT this plan before any more pubic funds and public resources are spent on continued planning of SEDA! 12

Signed,

The Southeast Property Owners (SEPO)

Brett Thompson - Communications Officer of SEPO

**From:** Brett Thompson
**To:** LongRangePlanning
**Subject:** Edit to public comment provided by Brett Thompson and SEPO
**Date:** Monday, March 24, 2025 10:25:48 PM

**External Email:** Use caution with links and attachments

Please edit 2 dates included in the comment letter submitted against the Recirculated Draft EIR on March 24th, 2025 these dates should be changed from 2024 to 2023. My apologies for the errors. See attachment for the location of the Errors in question.

Please edit these two dates to read 2023

At a Drop in meeting hosted by The city of Fresno's planning department on July 24, 2024 Peter Maraccini representing the public utilities department. presented information to Southeast property owners that is non factual when compared to the City Of Fresno's water and sewage connection documentation. Mr Maraccini was documented on film stating : "You are NOT required to be on city water, when a water main goes across, it's your choice wether to connect or not. Majority of the water supplied will come from the Kingsriver, that goes to the surface treatment plant

13

located on Armstrong" if you have an existing well we cannot impose a meter on you, but if you drill a new well, they will be metered."

This statement by Mr. Maraccini (recorded on video)
directly contradicts information emailed to a resident of Southeast Fresno prior to the "drop in meeting" on July 24, 2024. We suggest Mr. Maraccini deliberately provided false information to residents at the "drop in meeting" to falsely ease our concerns of required hook up to City of Fresno utilities. Below you'll find the email sent on 8-2-2023 by Mr. [redacted]

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CONT

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## *Southeast Property Owners (SEPO)*

*Response to SEPO-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to SEPO-2*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Additionally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to SEPO-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to SEPO-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to SEPO-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to SEPO-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to SEPO-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

As discussed in the above master responses, potential conflicts with existing Williamson Act Contracts are discussed in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to SEPO-8*
The comment is noted. The Executive Summary and Section 3.8, Greenhouse Gas Emissions, have been edited in Section 4, Errata, of this document to clarify the impact findings. No further response is required.

*Response to SEPO-9*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5$^{th}$ District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs.

As such, while the previously circulated Draft PEIR determined that impacts related to GHG emissions would be significant and unavoidable when evaluated against the City's now decertified GHG Plan Update, the Recirculated Draft PEIR determined that impacts related to GHG emissions would be less than significant when evaluated for consistency with the 2022 Scoping Plan and the latest RTP/SCS for the region.

Furthermore, the Executive Summary and Section 3.8, Greenhouse Gas Emissions, have been edited in Section 4, Errata, of this document to clarify the impact findings. No further response is required.

*Response to SEPO-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to SEPO-11*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide "system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand." These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

*Response to SEPO-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City.

Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to SEPO-13*
The comment is noted. However, no environmental issues are raised, and no response is required.

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**From:** Jeannine Raymond
**To:** LongRangePlanning
**Cc:** Joanne Clark; bruceaowdom@gmail.com; Robert Boro; debbie_neufeld@yahoo.com; Wendy Carroll; Daniel & Karen Zack; Aaron Kelley
**Subject:** SEDA needs to stop!!!!
**Date:** Friday, March 14, 2025 9:19:34 AM

**External Email:** Use caution with links and attachments

Fresno Long Range Planning,

The message below was also sent to the City Council Members representing our neighborhood and areas around it. We are eager to see that you take our concerns seriously and that you will reconsider the effort to expand Fresno beyond what our resources can sustain. Instead, you will come up with a long-range plan to redirect resources to support the infrastructure of existing neighborhoods. 1

Respectfully,

Jeannine Raymond
Wilson Island Neighborhood Group (WING), Chair
Members of the WING are copied here

---

---------- Original Message ----------
From: Jeannine Raymond <jeanninemarie7@outlook.com>
To: 'Miguel Arias' <Miguel.Arias@fresno.gov>, 'Annalisa Perea' <Annalisa.Perea@fresno.gov>
Cc: Joanne Clark <Clarkjoa@yahoo.com>, "bruceaowdom@gmail.com" <bruceaowdom@gmail.com>, Robert Boro <robertboro@comcast.net>, "debbie_neufeld@yahoo.com" <debbie_neufeld@yahoo.com>, Wendy Carroll <wendy@seasonedtotaste.com>, Daniel & Karen Zack <plannerdan@icloud.com>, Aaron Kelley <abkelley@me.com>
Date: 03/13/2025 12:24 PM PDT
Subject: SEDA needs to stop!!!!

Council Members,
After reading the SEDA plan, I have a question and a comment...

What is the wisdom behind expanding the footprint of Fresno by investing in SEDA when... 2

the Fresno budget is in the tank,
our water supply is limited by ongoing droughts,
and the infrastructure of numerous residential areas is in need of repair?

2
CONT

To the latter point, the Wilson Island has been waiting for a year for the City's response to our traffic calming issues. We have recently been told street enhancements and repairs have been delayed, again, until summer. Late spring if we're lucky. Potholes in our streets, insufficient lighting, and an influx of the homeless are current issues. Need I mention the recent activities that have attracted a noticeable police presence.

3

Is it asking too much for you to turn your attention to existing issues rather than creating new ones???

Respectfully,

Jeannine Raymond
Wilson Island Neighborhood Group, Chair

## *Wilson Island Neighborhood Group (WING)*

*Response to WING-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to WING-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to WING-3*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** MyEmail
**To:** LongRangePlanning
**Subject:** 3.10 Hydrology
**Date:** Monday, March 17, 2025 9:58:43 AM

**External Email:** Use caution with links and attachments

How will the city support the demand for water and sewage, I doubt the Fowler trunks line can support the demand for thousand of new homes and busineses. Thirty five years ago the water tabel was thirty feet at Clinton and Locan, now it is pushing ninety feet. On top of the demand for water and sewage the demand for electricy will increase to support the water and sewag infracture, and all the new homes. You need to look into the cost of electricy, read your PG&E bill from what was a few years ago to what it is today. 1

3.6 Energy
Where will all the electrical energy come from, there are no new electrical plants being built. Canada can cut a portion of our power supply the next time Trump pissses Canada off. In case you don't understand everything you are proposing depends on a secure source energy. What happened to all the Biomass powerplants that were bilt in Fresno County that are no longer in operation. 2

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## Individuals

### *Anonymous (ANON)*

*Response to ANON-1*

The comment is noted. First, please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

**Water**

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

**Wastewater**

As detailed in Section 3.18, Utilities and Service Systems, the City would be required to increase wastewater treatment capacity and obtain revised and/or new waste discharge permits. The policies included in the General Plan and the Wastewater Master Plan would reduce the potential impacts associated with increased wastewater generation and treatment requirements; however, these improvements will need to be reevaluated given the projected increase in wastewater generation in the Plan Area, and the City will need to update the Wastewater Master Plan. The implementation of the proposed Specific Plan will result in the need for expansion of the existing wastewater treatment facilities, and new wastewater collection and treatment facilities to serve future land uses in the Plan Area. MM UTIL-1c and MM UTIL-1d would require the City to evaluate the wastewater system and wastewater collection system at the time that discretionary projects are submitted for approval by the City, and the City shall not approve development that would exceed the capacity of a facility until additional capacity is provided.

**Electricity**

As detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide “system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand.” These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

*Response to ANON-2*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide "system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand." These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

Attn: Andrew Janz

Teresa Pineda Ávila
4004 E. Verrue Avenue
Fresno, CA 93702

NO TO- SEDA
SOUTHEAST DEVELOPMENT AREA

I often wonder how much love there is for Fresno...and...what of respect for her? What is loved, is not abandoned nor neglected.

It's been said, anything worth having, is worth fighting for. Sometimes the fighting becomes a battle comparable to that of, David and Goliath....mortals vs presumed gods...citizens vs city council vs supervisors vs developers...as appears to be the case with SEDA.

SEDA- who is pushing this plan? Appearances and numerous, past city council votes would indicate that developers build and expand when and where THEY choose...too often given free reign by local government.Tell the developers something they don't hear very often- NO! Ignorance of city government is not to be confused with stupidity. I, and others, have lived long enough, have seen enough, to know what many times drives decisions proposed by those who know that- MONEY TALKS. Yes, when there is the need for growth and development, call in the cavalry of developers. However, now is not the time to develop outward when the interior is bleeding, and crying out to be tended to.

Fresno...at 74 years of age, I have infinite memories of my beloved place of birth. I am a lifelong resident, born in the GOLDEN WEST SIDE- borrowing a phrase from, HAPPY HAROLD (local rhythm and blues radio DJ). 1

At the age of 12, our family moved to the EASTSIDE of town- bordered by streets: BELMONT & OLIVE, CEDAR & ROWELL. I was 43 years of age when I became a first-time homeowner of a house that I had "eye-balled" since 6th grade! Living in my once dream house (streets:TULARE & VENTURA, CEDAR & FIRST) has given me an education that neither Roosevelt High School nor Fresno State could have. I have lived and worked (Rowell School) in this area, and the historic Huntington Boulevard region, the major portion of my life. I cannot fathom, nor entertain the thought of living ANYWHERE ELSE IN THE WORLD!!!

What of these lessons learned? That despite the present and past mayor(s) wishing aloud of a...ONE FRESNO...the opposite is true. As I see, as I have experienced, there are 2 Fresnos: the NORTH and the SOUTH...much like the CIVIL WAR. One Fresno? Certainly...one divided and fractured. The Fresno City Council demonstrates this with it's shenanigans and clear, full display of whom they are beholden to...very recent example- the city council vote regarding smoke shops. Despite the sinful amounts of money spent on
TV & radio ads, print, etc. promising voters the Sun, Moon and Stars, we voters are often left with a, "bag of chips, no soda"!!! You will,(most candidates) (pinky finger promise) "work for us, your constituents"...a time-worn and laughable utterance. There's a saying in Spanish: "Con

dinero baila el perro". Literally: "With money, the dog dances". Figuratively: "Money talks". To win an election, money must be spent. Small sums donated by the average citizen pale, seem paltry, in comparison to...say...a developer with deep pockets and fatter wallets...and influence. THE ELEPHANT IN THE ROOM: it's a part of life in politics...like taxes and death. We mere mortals cannot compete monetarily with the developers who dictate votes...and policy. Without developer money, how else to pad the ladder to higher office? I'M GENERALIZING. Feel offended ONLY if the shoe fits.

Sorrowfully, the center of Fresno is being neglected, parts left to deteriorate and die. Will prayers and a miracle resurrect our city? I've heard many a city leader, council member and supervisor invoke the name of God. Heaven has yet to rain money down on us. But we humans are blessed with a heart, a brain, common sense, and judgement to guide us in making sound, ethical and moral decisions. 1 CONT

Southeast Fresno is a great and grand lady. From time to time she receives a manicure, a pedicure, a little lipstick now and then. And IF she should be sooo lucky...have her hair done! Bandaids. Her knees cry out for a replacement, her arthritic limbs struggle to keep her upright. Do we watch, do we stare, do we lament her forthcoming demise? She fights a gallant battle to survive, to stay standing. Her eyes still luster; they sparkle with hope. Her heart is broken...but still beats with blood infused with love and respect from those loyal to her.

Our STREETS are at the worst that they have EVER been. Riding down these streets rattles cars and nerves. CRACKED SIDEWALKS with tree roots raising walkways ...with many a person tripping and/or falling. TREES DYING, or dead. Their withered limbs a ghostly reminder of neglect and abandonment. Infrastructure...LACK of BUS BENCHES with SHELTER to shield waiting bus patrons (MANY ELDERLY) from the winter cold and rain. I've helped a few seniors who fell and slipped in the mud as they exited a bus stop...a stop where dirt awaited the disembarking... dirt-unleveled and full of weeds. Our famous/infamous summer heat bakes into the skin of those waiting for city transportation. I CHALLENGE, I DARE, EVERY city council member to shop and wait with several, filled shopping bags (standing- and in the open) for an entire month to personally experience what is expected of us who rely on the bus system for transportation...I suggest the southeast corner of Tulare Street. For the adventurous, there are many more locations to consider...no seating, no shelter and a frustrating and disrespectful situation. With our air pollution, the investment in promoting clean air (via public transport) is a given. 2

Our weather. Our fickle rainy season. Where is the SERIOUS plan to deal with energy costs and water usage? To many, Fresno is a laughingstock to those living in or out of the city...the joke is that Fresno doesn't know what it wants to be. We can...,we should be...
a MODEL of how to remedy, INTELLIGENTLY, a better way of life for it's citizens. 3
AFFORDABLE drough-tolerant trees and landscaping...aggressively advocated, financed and implemented. There are households, parts of SE Fresno where income makes these improvements impossible to adopt. Our weather, our limited water resources, expensive energy

costs- glaringly cry out for sane and effective remedies...want to spend money? HERE'S THE SPOT...ONE OF MANY!!! 3 CONT

Our homes, located in the older part of Fresno makes them aged...many not so gracefully. A developer's dream, I imagine, is to develop and build. Start here. Our homes, this area is a majestic and beautiful blend of styles and architecture not to be replicated anywhere in Fresno...much like Southwest Fresno and the Tower District. It's people proud and welcoming...be it with small talk, conversation, community involvement and sharing of food...all are welcome to our table. Yes, crime exists... as it does in ALL parts of Fresno. Security is welcomed, for our homes and neighborhood. Invest in us, our young and our old ...those working...those retired...those struggling...those homeless. Our schools and churches and organizations welcome the investment...does the city council welcome and embrace them? Don't TELL US- SHOW US!!! "Las palabras se las lleva el viento...Words are gone with the wind...words are hollow".

Fresno has given birth to countless numbers of children, and received many who've chosen to adopt her. Cities- much like mothers... are loved and respected. Others are neglected and abandoned. How we esteem Fresno...or not...is telling of who we are...what example we set for future generations to either emulate... or cringe at the thought of how we chose to take care of this lady named, Fresno. Building outward is akin to leaving this, "Older Woman" for a younger mistress whose "youthful buildings" may console those, " blinded by youth"...offering a false sense of rejuvenation. How is Fresno rejuvenated when internally, central Fresno is left ailing and alone...occasional and spotty "make up/lipstick" won't do...we require more than patchwork and excuses. 4

There are BILLIONS of dollars to be spent. SE Fresno has MILLIONS of projects yet to be addressed...

No apologies for this lengthy and perhaps rambling rant. I LOVE FRESNO!!!!! With all her, pimples, warts and scars (which ALL cities bear) she remains a beautiful place to live. Fresno- a region that feeds much of the country and world- should be held in high esteem...more so those parts of her- older and historic... alive and fighting a valiant battle to be appreciated and valued. We don't want nor (in the future) wait to be razed. We want to rise and prosper. What cannot be saved, what is burned or thoroughly destroyed, can be replaced with what fits our character and spirit. Too costly?! But to expand outside of our area is rarely a financial burden...excuses are infinite.

We are SOUTHEAST FRESNO...
WE MATTER

Teresa Pineda Ávila

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## *Teresa Pineda Avila (AVILA)*

*Response to AVILA-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to AVILA-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to AVILA-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Additionally, as detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide “system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand.” These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or

expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

*Response to AVILA-4*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

**From:** Heather Balcom
**To:** LongRangePlanning
**Subject:** SEDA Public Comment from District 3 resident Heather Balcom
**Date:** Saturday, March 22, 2025 8:27:50 PM

**External Email:** Use caution with links and attachments

Dear Fresno Long Range Planning Team,

I am a resident of the City of Fresno District 3. I am writing in response to the new proposed SEDA Environmental Impact Report draft.

The SEDA plan as currently described will harm the city of Fresno. SEDA is expensive and the plan does not explain how the city proposes to pay for it while meeting its existing obligations. Population growth has slowed, but Fresno will be responsible for paying for the development, regardless of if lots sell. 1

The good ideas from SEDA, such as increased green space and new affordable housing, can be implemented within current city limits at much lower cost. These are improvements that existing residents and businesses have been asking for and which the communities of county residents in the area that would be transformed by SEDA have clearly indicated that they do not want.

I submitted a public records request for the city's assessment of infrastructure repair and improvement needs in my neighborhood on February 23rd and have yet to receive the response. The city should identify and meet its existing obligations before considering taking on new ones. 2

Please reject SEDA and protect the City of Fresno from the long term negative impacts it would bring.

Sincerely,
Heather Balcom
1270 N Thorne Ave

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## *Heather Balcom (BALCOM)*

*Response to BALCOM-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to BALCOM-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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**From:** William Beekman
**To:** LongRangePlanning
**Cc:** Jerry Dyer; Todd Stermer; Nelson Esparza; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson
**Subject:** SEDA EIR Comment Response Ref.3436, William A Beekman 7791 E. Carmen, Fresno, 93737
**Date:** Monday, March 24, 2025 3:48:35 PM

**External Email:** Use caution with links and attachments

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager, City of Fresno, Planning and Development Dept

3.2 Ag Resources
William Beekman, resident 7791 E. Carmen Ave. 2.5 Acres Property. Presently grows 2 Acres of producing Oranges. With a dense population around we can no longer function as an income ( approx. $ 8000 to 12000 wholesale yearly) producing farm. Spraying of Insecticides & Herbicides, Beehive Honey gathering, gifting oranges to neighbors, loss of labor income (approx. $3000) for local HighSchool Children and Farm Laborers, 1

3.3 Air Quality
With the more dense population air quality will suffer tremendously! This is evidenced by the already heavy population increase north of us. We are experiencing smog now that prevents us from seeing the mountains. I can even smell the food being cooked 1/2 mile away from us. Coming in via air you can really notice the smog emitting from the new more dense population areas near us! I am sure this affects our health. 2

3.6 Energy, Need study to determine what Electrical Resources are needed? Would there be enough? 3

3.8 Greenhouse Gas Emissions, 4
Unable to to plant enough trees to offset the Greenhouse gas emissions

3.9 Hazards and Hazardous Materials. Garbage disposal increase would be tremendous. We do not have appropriate locations to dump this stuff. 5

3.10 Hydrology and Water Quality.
Probably the most difficult impact caused by a large increase in population would be the shortage of water!! We are already overdrafted with ground water levels. There is not enough water to be transported from the already river water shortage!! 6

Where will all the sewage be disposed of? Present facilities already at Max. 7

3.11 Land Use and Planning
Many hundreds of acres of valuable agricultural land will be gone! Believe there is a law preventing this!! 8

3.13 Noise
Already with population increase north of us, we have a high increase in sirens from police and fire departments and general traffic noise. WHERE IS OUR OLD SILENT COMMUNITY!! I must close our bedroom window about 6-7 AM to keep out the noise so I can sleep.Will have much more noise with population increase. 9

3.14 Population and Housing
This is Rural suburban farmland and not meant to be a heavily populated area. An increase in crime is already happening here in our community. It will only increase with a greater population. 10

3.15 Public Services,
In our location Taxation costs for these services have risen tremendously. We are paying about $260 per year increase in school taxes from year 2008 for more schools that new people's children need, Sure to be more with population increase. Too bad the Housing Developers are not paying for this! 11

3.17 Transportation and Traffic
Road Transportation Conveyance increase in our area is TERRIBLE! It will become worse with more housing. Presently we avoid the rush hour traffic due to long waits at our stop signs and lights. It now takes us 10-15 minutes longer to get into town in non rush hour traffic due to the many new stop signs and traffic lights. Roads here are continually torn up with new utilities being buried. Traffic must be rerouted. Something drastic needs to be done to solve this problem. Contractors make millions from new home building and we suffer!! 12

3.18 Utilities and Service Systems.
We already have our own 3 HP well pump for water service. Also have our own sewage disposal system. Mandatory connecting fees for the City of Fresno estimated to be as high as $30K for each service and in addition to Monthly usage charges is not acceptable. We have a Solar Array size large enough to omit electric power costs. We are retired and need to have reduced living costs. 13

William(89) & Marjory(83) Beekman, 7791 E. Carmen Ave. Fresno, Calif. 93737- Built home 1977 on 2.5 acres. Raised family here in Clovis School District.

## *William Beekman (BEEKMAN)*

*Response to BEEKMAN-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to BEEKMAN-2*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to BEEKMAN-3*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide “system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand.” These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

*Response to BEEKMAN-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to BEEKMAN-5*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, new residential, commercial, mixed use, and public land uses in the Specific Plan Area would increase the amount of solid waste generated by residents and businesses. The increase in growth and development as a result of the implementation of the proposed Specific Plan would result in an increase of solid waste to transfer stations and landfills and contribute to an increased demand for solid waste services throughout the Plan Area.

Based on the estimated closure dates of the American Avenue Landfill in 2031 and the Clovis Landfill in 2047, there is a potential for additional landfill capacity needed to accommodate the additional development from this Specific Plan. Therefore, development under the proposed Specific Plan could result in a significant impact on landfill capacity. Implementation of the proposed plan would result in a total buildout of approximately 45,000 dwelling units and over 3,000 acres (130+ million square feet) of mixed use, commercial, office, retail, public, and open spaces throughout the Specific Plan Area. The proposed increase in development would result in a long-term increase in solid waste generation with each new land use.

To reduce the significant impacts associated with the solid waste disposal, the City will need to increase disposal capacity. The policies in the General Plan are designed to reduce the potential effect associated with solid waste disposal including those associated with the proposed Specific Plan. The City is responsible for evaluating additional landfill locations to ensure adequate landfill capacity for future development, and MM UTIL-4 requires that the City shall not approve development that could contribute solid waste to a landfill that is at capacity until such additional capacity has been provided. All future development under the Specific Plan would be required to comply with State and local requirements for reduction of solid waste going to landfills. No further response is required.

*Response to BEEKMAN-6*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to BEEKMAN-7*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, the City would be required to increase wastewater treatment capacity and obtain revised and/or new waste discharge permits. The policies included in the General Plan and the Wastewater Master Plan would reduce the potential impacts associated with increased wastewater generation and treatment

requirements; however, these improvements will need to be reevaluated given the projected increase in wastewater generation in the Plan Area, and the City will need to update the Wastewater Master Plan. The implementation of the proposed Specific Plan will result in the need for expansion of the existing wastewater treatment facilities, and new wastewater collection and treatment facilities to serve future land uses in the Plan Area. MM UTIL-1c and MM UTIL-1d would require the City to evaluate the wastewater system and wastewater collection system at the time that discretionary projects are submitted for approval by the City, and the City shall not approve development that would exceed the capacity of a facility until additional capacity is provided. The comment is noted.

*Response to BEEKMAN-8*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to BEEKMAN-9*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to BEEKMAN-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to BEEKMAN-11*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Furthermore, as discussed in Section 3.15, Public Services, of the Recirculated Draft PEIR, future development associated with the implementation of the proposed project would be required to pay all applicable development fees, which would offset costs for new public service facilities. No further response is required.

*Response to BEEKMAN-12*
The comment is noted. The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to BEEKMAN-13*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

SOUTHEAST DEVELOPMENT AREA

DRAFT EIR COMENT LETTER

The proposed EIR for the Southeast Development Project addresses the loss of farmland (AG1 and AG2) by delaying any mitigation plan and handing off that responsibility to the developers of individual projects within the area. Delaying any attention to mitigation is inappropriate given that the entire area is specifically being planned and organized as a conversion of ag land into housing. This plan requires some mitigation for the loss of that land in this EIR. 1

There seems to be inconsistencies in the document. On ES -5 where it lists significant and unavoidable impacts, in reference to Williamson Act lands (but also relevant to other adjacent ag land), that the conversion of land to non-agricultural uses does not have any available mitigation. While saying this, it lists possible mitigation approaches that might be taken by individual project developers. Again, the effort here is to avoid the clear responsibility for enunciating a plan for this development area. 2

Richard and Kay Bertken

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## *Richard and Kay Bertken (BERTKEN)*

*Response to BERTKEN-1*

The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to BERTKEN-2*

The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

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**From:** pattibibb@netzero.net
**To:** LongRangePlanning
**Cc:** Blondieandlayne@netzero.net
**Subject:** SEDA
**Date:** Sunday, March 16, 2025 2:12:33 PM

External Email: Use caution with links and attachments

I am a homeowner in the area of Temperance and Olive. In recent years, many new housing tracts have popped up in the area, causing traffic jams, accidents and additional noise from traffic.
Additional housing in this rural neighborhood is already interfering with my right to quiet enjoyment of my home. This is an agricultural neighborhood, that's why we moved out here, to enjoy the peace and quiet.
I am also upset at the idea of having to be forced to hook up to a city sewer line. I have a well and septic I've already paid for, why should I pay for a sewer?
Fresnos budget is short 20 million short of current needs, fix that first.

1

Patti Bibb
7315 E Dennett Ave
Fresno CA 93737

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## *Patti Bibb (BIBB)*

*Response to BIBB-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Gerry Bill
**To:** LongRangePlanning
**Cc:** Nelson Esparza
**Subject:** SEDA Recirculated EIR
**Date:** Sunday, March 23, 2025 7:43:30 PM

**External Email:** Use caution with links and attachments

March 23, 2025

From:

Gerald Bill
708 E Beverly Way
Fresno, CA 93704
gerry.bill@gmail.com

To:

City of Fresno
Planning and Development Department
Attn: Sophia Pagoulatos, Planning Manager

**Subject: SEDA Recirculated EIR**

Dear Ms. Pagoulatos,

I am deeply troubled by the way the recirculated EIR for the Southeast Development Area (SEDA) is being handled, and specifically with some of the provisions contained within it.

**Section 3.17 Transportation & Traffic**

There is a claim in EIR Section 3.17 that by 2035, people living in SEDA would, on average, drive only five miles per day. That seems way off base, and is clearly an overly-optimistic projection. The SEDA development will not resemble a place like New York City, with an extensive subway system connecting all parts of the city. Realistically, in the SEDA, people are going to drive, not walk, and go to various locations in the city proper, not limited to the development area. The wildly exaggerated claim about how few miles people are likely to drive undermines the credibility of the report, which appears to be based on excessively rosy assumptions designed to hide the true negative impacts of the SEDA project. 1

**Section 3.3.4 Air Quality**

The huge increase in miles driven will further pollute the air. We live in one of the three worst areas of the state for dirty air, and the SEDA project is going to make our air even worse. There is no way around that if such a large number of households is added to our city in outlying areas. This sort of urban sprawl development will produce far more air pollution than would alternatives based on infill, rather than sprawl. Worsening our air in this way will be harmful to people's health, and it is not necessary. 2

**Section 4-2 Growth-Induced Impacts**

One reason the SEDA project is not necessary is that it is based on false assumptions about the likely population growth. The growth projection it uses, 226,000 population growth by 2035, is roughly three times higher than the newest projections from the California Department of Finance. Again, the SEDA 3

project is trying to cherry-pick its numbers to try to justify the plan, even if better population projections are now available. Again, this undermines the credibility of the plan, and puts misleading figures into the EIR.

3 CONT

**There are Better Ways to Use City Resources to Plan for the Future**

I have many other objections to the Draft Recirculated EIR for the SEDA project, including its failure to adequately address its impact on existing Fresno neighborhoods. The SEDA plan fails to address the financing of the infrastructure for the SEDA. With no financing plan in place, the massive cost of infrastructure for SEDA is likely to drain resources from existing neighborhoods in the City that will be needed for infrastructure maintenance, repair and improvements in those neighborhoods. I live in the area sometimes described as the Greater Tower District, bordering on Old Fig Garden. Public transit in my area is poor. I need to walk approximately half a mile to the closest bus stop. There are many streets in the area without curbs and gutters, leaving storm water to collect and partially cover some of the streets near me. Just two blocks from me, within the City Limits, there is a street that floods after every heavy rainstorm, and it is not possible to walk down that street without walking through water and getting one's feet wet (there are no curbs, gutters or sidewalks on that street). There are many other places in the City where this is going on. If SEDA is adopted, it is likely that City money will go there, instead of to improvements in City infrastructure in existing neighborhoods. It would be much better to improve infrastructure in existing neighborhoods and create more infill housing than to divert our precious resources to SEDA.

4

Sincerely,

Gerald Bill

gerry.bill@gmail.com

## *Gerald Bill (BILL)*

*Response to BILL-1*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to BILL-2*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to BILL-3*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to BILL-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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*From the Desk of*
*Dr. Carol Bloesser*

7843 E. Carmen Ave.
Fresno, CA 93737
c_bloesser@yahoo.com

March 17, 2025

These are comments regarding the SEDA EIR along with the marked reference:

| | | |
|---|---|---|
| | 3.1 | Aesthetics. Light, and Glare |
| | 3.2 | Agricultural Resources and Forestry Resources |
| | 3.3 | Air Quality |
| | 3.4 | Biological Resources |
| u | 3.5 | Cultural Resources and Tribal Resources |
| | 3.6 | Energy |
| | 3.7 | Geology, Soils, and Seismicity |
| | 3.8 | Greenhouse Gas Emissions |
| | 3.9 | Hazards and Hazardous Materials |
| | 3.10 | Hydrology and Water Quality |
| | 3.11 | Land Use and Planning |
| | 3.12 | Mineral Resources |
| | 3.13 | Noise |
| | 3.14 | Population and Housing |
| | 3.15 | Public Services |
| | 3.16 | Recreation |
| | | Transportation and Traffic |
| | 3.18 | Utilities and Service Systems |
| | 3.19 | Wildfire |
| X | | Mandatory Finds of Significance |

In the entire EIR, I see no financial impact statement. All EIR's must have budget projections. The educated estimate is that the cost for infrastructure will run over 4 billion dollars. How will the city afford this when budget figures show that the city is in a deficit financial mode. I also saw from your Utilities Director who was online to say that the city needs at least 100 new wells because many wells are pumping sand. In addition, a report estimates millions of dollars to repair sidewalks and potholes. Are you going to abandon existing neighborhoods and their needs to create urban sprawl?

1

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## *Carol Bloesser (First Letter) (BLOESSER 1)*

*Response to BLOESSER 1-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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*From the Desk of*
*Dr. Carol Bloesser*

7843 E. Carmen Ave.
Fresno, CA 93737
c_bloesser@yahoo.com

March 19, 2025

These are comments regarding the SEDA EIR along with the marked reference:

| | | |
|---|---|---|
| | 3.1 | Aesthetics. Light, and Glare |
| | 3.2 | Agricultural Resources and Forestry Resources |
| | 3.3 | Air Quality |
| | 3.4 | Biological Resources |
| u | 3.5 | Cultural Resources and Tribal Resources |
| | 3.6 | Energy |
| | 3.7 | Geology, Soils, and Seismicity |
| | 3.8 | Greenhouse Gas Emissions |
| | 3.9 | Hazards and Hazardous Materials |
| X | 3.10 | Hydrology and Water Quality |
| | 3.11 | Land Use and Planning |
| | 3.12 | Mineral Resources |
| | 3.13 | Noise |
| | 3.14 | Population and Housing |
| | 3.15 | Public Services |
| | 3.16 | Recreation |
| | | Transportation and Traffic |
| | 3.18 | Utilities and Service Systems |
| | 3.19 | Wildfire |
| | | Mandatory Finds of Significance |

The Fresno Irrigation District has written about all the changes that must be made to the canals for water for 45,000 homes. There is not enough water to support all the new homes and their residents even with changes to the canals. Madera is already having to carry in water to a couple of their new developments. Is this what Fresno wants to do? In the EIR water is glossed over as though it is not a problem. That is certainly not true. 1

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## *Carol Bloesser (Second Letter) (BLOESSER 2)*

*Response to BLOESSER 2-1*

The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

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*From the Desk of*
*Dr. Carol Bloesser*

7843 E. Carmen Ave.
Fresno, CA 93737
c_bloesser@yahoo.com

March 19, 2025

These are comments regarding the SEDA EIR along with the marked reference:

| | | |
|---|---|---|
| | 3.1 | Aesthetics. Light, and Glare |
| | 3.2 | Agricultural Resources and Forestry Resources |
| | 3.3 | Air Quality |
| | 3.4 | Biological Resources |
| u | 3.5 | Cultural Resources and Tribal Resources |
| | 3.6 | Energy |
| | 3.7 | Geology, Soils, and Seismicity |
| | 3.8 | Greenhouse Gas Emissions |
| | 3.9 | Hazards and Hazardous Materials |
| | 3.10 | Hydrology and Water Quality |
| | 3.11 | Land Use and Planning |
| | 3.12 | Mineral Resources |
| | 3.13 | Noise |
| X | 3.14 | Population and Housing |
| | 3.15 | Public Services |
| | 3.16 | Recreation |
| | | Transportation and Traffic |
| | 3.18 | Utilities and Service Systems |
| | 3.19 | Wildfire |
| | | Mandatory Finds of Significance |

The population of California is diminishing. The population of Fresno is not growing at the rate that it was when this plan was first initiated. In fact, it is growing little. There is enough land and housing within the City of Fresno to last until 2035 and probably longer. Why take valuable farmland and create urban sprawl when it is unnecessary? The EIR does not prove the need for the 45,000 houses indicated in this plan. 1

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## *Carol Bloesser (Third Letter) (BLOESSER 3)*

*Response to BLOESSER 3-1*

The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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*From the Desk of*
*Dr. Carol Bloesser*

7843 E. Carmen Ave.
Fresno, CA 93737
c_bloesser@yahoo.com

March 23, 2025

These are comments regarding the SEDA EIR along with the marked reference:

| | | |
|---|---|---|
| | 3.1 | Aesthetics. Light, and Glare |
| | 3.2 | Agricultural Resources and Forestry Resources |
| | 3.3 | Air Quality |
| | 3.4 | Biological Resources |
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| | 3.8 | Greenhouse Gas Emissions |
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| | 3.10 | Hydrology and Water Quality |
| | 3.11 | Land Use and Planning |
| | 3.12 | Mineral Resources |
| | 3.13 | Noise |
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| X | 3.15 | Public Services |
| | 3.16 | Recreation |
| | | Transportation and Traffic |
| | 3.18 | Utilities and Service Systems |
| | 3.19 | Wildfire |
| | | Mandatory Finds of Significance |

In reading the EIR, I see no provision for fire stations or police stations. There is not even a suggestion of how many of each would be needed. This EIR is totally incomplete. It provides no estimate of a budget and many important things are not covered in this EIRE. 1

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## *Carol Bloesser (Fourth Letter) (BLOESSER 4)*

*Response to BLOESSER 4-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, Section 3.15, Public Services, provides a detailed analysis of the need for the construction of new or expanded fire protection or police protection facilities. Implementation of the proposed project would result in an increased demand for fire protection services. The Specific Plan includes a number of proposed policies related to fire protection, including Policy OS-11.2 which requires that fire services are provided in the Plan Area in accordance with the General Plan; and Policy OS-11.3 which requires that the City of Fresno Planning and Development Department work with the Fire Department as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with the FFD would address design features for safety, siting of fire stations, and facilitation of citizen involvement processes. Implementation of the proposed Specific Plan policies would ensure that fire protection services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to comply with development fees or other funding mechanisms adopted for the proposed project in order to mitigate the impacts on fire protection facilities caused by future development within the City. Payment of the applicable development fees would offset the construction and acquisition costs of required fire facility improvements.

The Specific Plan includes proposed policies related to police protection, including Policy OS-11.1 which requires that police services are provided in the Plan Area in accordance with the policies of the General Plan; and Policy OS-11.3 which requires that the City's Planning and Development Department work with the Police Department as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with FPD would address design features for safety and crime prevention, siting of police stations, and facilitation of citizen involvement processes. Implementation of these proposed Specific Plan policies would ensure that police services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to comply with development fees or other funding mechanisms adopted for the proposed project in order to mitigate the impacts on police protection facilities caused by future development within the City. Payment of the applicable development fees would offset the construction and acquisition costs of required police facility improvements. No further response is required.

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| | |
|---|---|
| **From:** | Whitney Wall Bortz |
| **To:** | LongRangePlanning; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nelson Esparza; Nick Richardson; Jerry Dyer; Sarah Boren; Georgeanne White; Jennifer Clark; Andrew Janz; District1; District2; District3; District4; District5; District6; District7 |
| **Cc:** | Rhonda Dueck |
| **Subject:** | Concerned about the Southeast Development Area Specific Plan (SEDA) |
| **Date:** | Saturday, March 22, 2025 9:36:16 PM |

**External Email:** Use caution with links and attachments

Dear Representatives,

I am writing to you as a resident, employee, parent and tax payer in District 5. I live on Huntington Blvd. between 3rd and 4th with my husband and 3 kids who all attend Fresno Unified Schools.

We are very concerned about SEDA. We already notice that there is significant neglect in this neighborhood and those surrounding us with much need for infrastructure, repairs and the availability of law enforcement. We fear that this development will remove further attention from these neighborhoods in which many families live, and neglect of these areas may drive families out of this region. Please let me know what you are doing to ensure that this development does not lead to negative consequences for others in this area. 1

Best,

Whitney Bortz
540-998-1255
3338 E. Huntington Blvd. 93702
whitneyelaine8@gmail.com
Whitney.Bortz@fresno.edu

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### *Whitney Bortz (BORTZ)*

*Response to BORTZ-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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Sophia Pagoulatos
Planning Manager
City of Fresno
2600 Fresno Street, Third Floor, Room 3043
Fresno, CA 93721

**Subject: Comments on Recirculated Draft EIR for City of Fresno's Southeast Development Area (SEDA) Specific Plan (State Clearinghouse # 2021100443)**

Dear Ms. Pagoulatos,

Presented in this letter are comments on the Recirculated Draft EIR for the Southeast Development Area (SEDA) Specific Plan. Despite the geography of the plan's name, it has become increasingly clear that SEDA poses multifaceted issues of Citywide concern. Your consideration of these comments is appreciated.

Sincerely,

Daniel Brannick

**1.**

The City's primary narrative in pushing for the expeditious approval of SEDA is "to create more housing supply at all income levels" (Specific Plan p. 5), however, the SEDA EIR admits "there is ample residential capacity within the current city limits and in Growth Area 1 (which includes Southwest Fresno and the West Area Neighborhoods Specific Plan areas)" (RDEIR p. 2-1).

In addition to its own admission that there is ample housing capacity elsewhere, there are additional problems with this would-be justification to move forward with SEDA.

1

A. *The process clearly conflicts with the Fresno General Plan's framework and policies regarding the sequencing of development in "Growth Areas"*

Permitting the development of SEDA, which is in Growth Area 2, prior to the development of land in Growth Area 1 violates the sequencing of development prescribed by policy and Figure IM-2 of the Fresno General Plan. Furthermore, the City has never established a tracking method to monitor development in infill areas and Growth Area 1 to determine an appropriate time to allow for development in Growth Area 2, as discussed in Chapter 12 of the General Plan and as tied to the requirements of Policies UF-12 and UF-13.

The EIR admits that moving forward with SEDA now is to place the sequencing out of order: "Located in Growth Area II, SEDA was intended to be developed once other infill initiatives were given time to gain momentum." Given that there are multiple projects underway in Growth Area 1 with "ample residential capacity" still undeveloped, there is no basis to state that the City

should open Growth Area 2 to development. Rather, the City should continue to focus development in infill areas and Growth Area 1. 1 CONT

*B. The SEDA Plan as proposed is not consistent with the Housing Crisis Act of 2019*

The lack of housing units to meet demand is not just an issue in Fresno, but in California broadly. However, even the Housing Crisis Act would recognize that SEDA is not the best solution to address the crisis. The Act[1] notes that "(12) The housing crisis also harms the environment by doing both of the following: (a) Increasing pressure to develop the state's farmlands, open space, and rural interface areas to build affordable housing, and increasing fire hazards that generate massive greenhouse gas emissions (B) Increasing greenhouse gas emissions from longer commutes to affordable homes far from growing job centers." (emphasis added).

The Act later states: (c) The Legislature also recognizes that premature and unnecessary development of agricultural lands for urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas. (emphasis added). 2

As there is "ample residential capacity within the current city limits and in Growth Area 1," allowing development to occur in SEDA - which contains more than 2,475 acres of Prime Farmland, 1,352 acres of Farmland of Statewide Importance, 1,189 acres of Farmland of Local Importance, and 1,725 acres of Unique Farmland (totaling 6,741 acres) - would be a violation of state policy, as written in the Housing Crisis Act.

*C. Advancing SEDA in the manner and timing proposed undermines the City's obligation to Affirmatively Further Fair Housing*

AB 686 "requires all state and local public agencies to facilitate deliberate action to explicitly address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities."[2] 3

Fresno has a documented history linking urban sprawl to inner city decay and the creation of racially or ethnically concentrated areas of poverty.[3, 4, 5] As the City permits more outward

[1] https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330

[2] https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing

[3] https://www.sutori.com/en/story/fresno-bhc-timeline--wGb27reQQeEt6ZoHv1qgPZfx

[4] https://storymaps.arcgis.com/stories/eb1233cfb60048df8a02ba8b83998da7

[5] https://www.fresnobee.com/news/local/article243247596.html#storylink=cpy

expansion, existing neighborhoods are drained of resources and amenities – including access to healthy food, health care providers, etc. Despite this evidence, SEDA would perpetuate the disparities that result from past land use decisions, draining resources from infill areas and Growth Area 1, and potentially exacerbate existing segregation patterns. 3 CONT

**2.**

At a global level, it is unclear to what degree the EIR accounts for potential adverse environmental impacts that could result from the re-sequencing of development to prioritize development within SEDA over other parts of the City and Plan Area. Notably, the EIR appears to take very limited account of two large planning efforts that were initiated prior to SEDA: the West Area Neighborhood Specific Plan and the Central Southeast Area Specific Plan. Both of these plans were initiated prior to the SEDA plan being resurrected, and both would increase housing and residential capacity in the City's Growth Area 1 and/or infill areas. The West Area is mentioned exactly one time in the aforementioned text from the Executive Summary, and the Central Southeast Specific Plan is mentioned only in footnotes. These projects must be considered in the context of cumulative demands on services and infrastructure to properly disclose how SEDA will impact the environment in the scenario that these plans are also adopted. 4

**3.**

The City is not being transparent about the cost to build out public infrastructure and services for SEDA, which may indirectly violate General Plan Policies LU-1-e and ED-5-b that speak to the need for revenue-neutral annexations. While developers (or residents) may pay into a CFD, these do not cover all costs that are associated with new development, such as major roads. The approval of the Specific Plan and EIR would essentially require the City to subsidize development in Growth Area 2. As City resources are scarce and the City faces a budget deficit, this would further the offense to the General Plan by removing resources from infill areas and Growth Area 1. 5

**4.**

The EIR quotes a number of policies from the SEDA Specific Plan and states that compliance with the policies will aid in reducing impacts. If the policies are subsequently altered, then the EIR must re-evaluate the effectiveness of the policies to be relied upon for mitigation. 6

**5.**

At a broad level, the EIR relies on policies and ideas in the General Plan and SEDA Specific Plan to ostensibly mitigate potential environmental impacts. However, in a number of instances, the EIR does not provide any meaningful evidence to substantiate a) whether or not the General Plan policies have been successfully implemented and thus can be cited as effective for mitigation, or b) whether or not the Specific Plan policies are based in any sense of reality. 7

For example, the EIR frequently discusses how the Specific Plan will be served with "convenient and frequent transit service" but provides no information to prove that FAX has "major transit lines" planned, funding available, etc. to make this a reality. Similarly, it says that "nearly all homes [are] to be

located within walking distance of a Neighborhood Town Center" but does not show any maps or data that prove or meaningfully substantiate this statement. 7 CONT

**6.**
The Plan has missing or outdated information. The Urban Form chapter does not include a series of exhibits that showcase the Land Use vision. The Housing Choice and Affordability Chapter does not discuss availability of housing in the City nor the challenges associated with providing housing affordability. The Greenhouse Gas Reduction and Conservation Chapter references the 2021 GHG Plan. There is no Implementation Chapter. 8

**7.**
The EIR says there are additional project components, but they are not available for public review. This includes a Phasing Plan, an Infrastructure Financing Plan, and a General Plan Amendment and Development Code Change. These components must be made available to the public with an appropriate public review period prior to any formal consideration of this project. Failure to do so undermines the informed decision-making and meaningful public participation mandated under CEQA. 9

**8.**
The Aesthetics section does not address potential impacts on the Blossom Trail. Segments of the Blossom Trail are located along Clovis Avenue, Jensen Avenue, Armstrong Avenue, and North Avenue, which is located within the Plan Area or immediately adjacent to its boundaries. The Blossom Trail Route is formally designated as a scenic roadway by Fresno County, and it is well recognized in the local public consciousness as an important and significant scenic resource.

The EIR already discloses that significant and unavoidable impacts will result due to the conversion of Farmland to non-agricultural use and the adverse alteration of visual character by increasing the intensity of development in many areas that are primarily agricultural. However, the potential for particularized impacts to the Blossom Trail segments within or in proximity to SEDA are not addressed. As such, the EIR should include measures to protect the Blossom Trail segments located within the SEDA boundaries and those in close proximity to the Blossom Trail. Protective measures could include heightened review requirements for projects within the Blossom Trail Corridor areas and tree preservation requirements along Blossom Trail Corridor roadway frontage areas. Through such measures, it seems readily apparent that impacts to the Blossom Trail could be avoided or reduced without substantially impeding SEDA's general development framework or its goals and objectives. 10

**9.**
Impact ENER-1 should be revisited and updated. Because there is enough housing capacity within infill areas and Growth Area 1 that are already served by infrastructure and services, SEDA would appear to result in inefficient, wasteful, and unnecessary use of energy. The energy demands (not to mention dollar costs) associated with constructing and maintaining infrastructure in SEDA's undeveloped greenfield areas are substantially higher than those for infill areas and Growth Area 1. Furthermore, the 11

added distances and commutes (which are likely to occur unless and until SEDA's optimistic full buildout is achieved) will lead to increased fuel consumption, which is averse to achieving California climate and energy goals.

11 CONT

**10.**

The EIR's conclusion under Impact LAND-2 disregards that implementation of SEDA as proposed conflicts with policy Figure IM-2 and related policies pertaining to the prioritization of development in infill areas and Growth Area 1. This project cannot be found consistent with UF-12 as it would expand the city by 9,000 acres and include a population equal to neighboring Clovis exclusively to Growth Area 2. In light of the recently updated City-County tax sharing agreement – under which the City will receive a greater share of property taxes for development within SEDA than it will for development happening anywhere else within the City or its SOI – it is reasonably foreseeable that the City will seek to reallocate and direct resources to SEDA in an attempt to realize higher tax revenues (which could foreseeably be wiped out by exorbitant costs associated with serving and maintaining the new development). As such, the Plan is in conflict with LU-4 as it will pull resources away from existing neighborhoods and spread resources thinner across a larger urban footprint. For the same reason, it is in conflict with LU-9 as history does not support the assertion that it will somehow avoid pulling resources away from downtown.

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**11.**

In the EIR's Transportation section, the EIR's evaluative approach to Vehicle Miles Traveled (VMT) is misleading, if not flawed. In demonstrating an "80% reduction" in VMT, the EIR utilizes a "VMT per service population" metric which involves a comparison of VMT using the existing population of the SEDA geographic area. Given the rural nature and relatively limited population capacity within the SEDA boundaries, it is not surprising that existing VMT per capita within the SEDA geographic area is relatively high (under both existing conditions and 2035 No Project conditions). However, the problem here is that this limited geographic area is not reflective of Fresno's region-wide VMT conditions (which are much lower per capita), and the VMT effects associated with SEDA will not be isolated to the Specific Plan's geographic boundaries. In order to provide an accurate and meaningful comparison of VMT impacts, the EIR must present the project's VMT in a broader context.

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The 2018 OPR SB 743 Technical Advisory provides: "[A]gencies should analyze VMT outcomes of land use plans across the *full area* over which the plan may substantively affect travel patterns, including *beyond the boundary of the plan* or jurisdiction's geography…." (emphasis added) (p. 18). The Fresno County SB 743 Implementation Regional Guidelines similarly provides: "[T]he recommended methodology for conducting VMT assessments for land use plans is to compare the existing VMT per capita and/or VMT per employee for the region with the expected horizon year VMT per capita and/or VMT per employee for the land use plan of the jurisdiction." (p. 39-40). It is also noted that the Recirculated DEIR for the West Area Neighborhoods Specific Plan (which was released earlier this month) compares Plan Area VMT to countywide VMT averages as part of its analysis of Transportation impacts.

The SEDA EIR seems to take the approach that future residents of SEDA will live in a bubble in the Specific Plan Area, without traveling frequently to other parts of town or without having people travel into SEDA. Yet, this is contradicted by the description of land uses in the Project Description. The two Regional Town Centers will be able to serve 80,000 to 120,000 households (considerably more than the planned 45,000 homes to be built in the Plan Area). These centers will "host major cultural attractions" in addition to being mixed-use employment centers and retail destinations. There are also other Centers that will influence VMT, i.e., the various Community Town Centers which would purportedly support 30,000 to 60,000 households.

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CONT

Aside from the VMT per Service Population issue, the EIR's projected "Year 2035 With Project Conditions VMT" is so low that it cannot help but invite skepticism. Local media coverage of SEDA reflects this sentiment, including questions seeking explanation of how SEDA's buildout and policy framework will "somehow" make SEDA's future residents "even less car-dependent than downtown San Franciscans, … and even New Yorkers.[6]" At best, the EIR's analysis appears to only consider the best-case scenario for achieving such a low level of VMT. There are no mechanisms to ensure that the assumptions underpinning the Transportation evaluation will be achieved or implemented; particularly, development of infrastructure is to occur on a per-project basis, so the multimodal circulation system will have gaps.

[6] https://fresnoland.org/2025/03/03/will-southeast-fresnos-proposed-mega-development-be-denser-than-new-york-city/

## *Daniel Brannick (BRANNICK)*

*Response to BRANNICK-1*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to BRANNICK-2*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to BRANNICK-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to BRANNICK-4*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Each topical section of the Recirculated Draft PEIR details the relevant geographic scope of the cumulative impact analysis for that topical area. As described in Section 3.15, Public Services, the geographic scope for the analysis of cumulative impacts related to public services generally includes the Plan Area, the rest of the City, and any other communities served by the public service providers. Cumulative impacts would be less than significant because public service providers conduct a regular budgeting process where future facility and staffing needs are identified and addressed, and all cumulative projects would be required to comply with applicable Municipal Code, General Plan, and Specific Plan policies and provisions that address public services, including payment of applicable development fees.

Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR also provides the geographic scope for each utility. It further describes that the purpose of the SEDA Specific Plan is to identify and develop utilities and service systems within the project area, and to generally eliminate cumulative impacts outside of it. The impacts of anticipated development and projects resulting

from the Specific Plan have been analyzed in this Recirculated Draft PEIR. Most impacts are localized and would occur at different times as the Specific Plan is built out. The proposed project would comply with all State and local regulations related to utilities. Therefore, the proposed project would generally not combine with other projects to result in a cumulatively considerable contribution to cumulative impacts. Where there are regional impacts, they would occur on a scale and of a difficulty that cannot be addressed within a Specific Plan and are being addressed with long-term planning by regional groups and State agencies.

Furthermore, Section 3.14, Population and Housing, states that cumulative impacts related to population and housing would be less than significant because the general plans and other planning documents prepared by the jurisdictions within Fresno County would be required to develop land use plans that comply with State law and that would accommodate the existing and forecasted population, similar to the long-range planning guidance included in the proposed project. Consistent with State law, these planning documents would be required to provide adequate housing to accommodate forecasted numbers of people within the jurisdiction, and displaced development, if any, would be replaced primarily within the jurisdiction. Further, new development would be required to address potential environmental impacts as part of individual project review. No further response is required.

*Response to BRANNICK-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRANNICK-6*
The comment is noted. The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. No further response is required.

*Response to BRANNICK-7*
The comment is noted. The Specific Plan is a self-mitigating document, such that mitigation for its environmental effects is incorporated into and carried out by General Plan and Specific Plan policies. Because the Recirculated Draft PEIR is a program-level analysis, specific development proposals would be required to demonstrate compliance with General Plan and Specific Plan policies when they are considered by the City. It would be entirely speculative, and therefore outside the requirements of CEQA, to evaluate how a specific policy would be implemented for a specific, as yet unknown, development proposal. In the event that future development proposals would result in impacts related to consistency with applicable policies, those potential project or site-specific impacts would be addressed in accordance with the requirements of CEQA at the project level.

Additionally, the proposed project and future development associated with implementation of the proposed project would be required to implement MM TRANS-1a, MM TRANS-1b, and MM TRANS-1d, which require providing options for shorter trips by encouraging vertical mixed uses and locating residential uses in walking distance to retail and employment uses, providing pedestrian and bicycle

network improvements to connect complementary uses, and collaborating with FAX to provide new transit services to the proposed project and within the Plan Area.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to BRANNICK-8*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 address why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to BRANNICK-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRANNICK-10*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. As discussed in Master Response 5, future development projects would be required to analyze potential impacts to scenic resources, such as the Blossom Trail, and implement any feasible mitigation as necessary. Approval of the proposed project does not approve or entitle any development that could modify or impact the Blossom Trail without further environmental review. No further response is required.

*Response to BRANNICK-11*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR.

As detailed in Section 3.6, Energy, of the Recirculated Draft PEIR, future development under the proposed project would be required to comply with the City's latest adopted energy efficiency standards, as well as applicable policies of the General Plan and SEDA Specific Plan. Furthermore, compliance with the mitigation measures for Air Quality would reduce energy usage from the proposed project by requiring energy efficiency measures that go beyond the Title 24 and CALGreen standards. Therefore, impacts would be less than significant. No further response is required.

*Response to BRANNICK-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to BRANNICK-13*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR.

Furthermore, as described in Impact TRANS-2 of the Recirculated Draft PEIR, the City of Fresno CEQA standards for land use plans, such as SEDA, state that the project should compare the base year existing VMT per capita and/or VMT per employee with the horizon year with project VMT per capita and/or VMT per employee. If the horizon year with project VMT is higher than the base year, then there will be an impact. The proposed project generates fewer VMT per capita and VMT per employee in the horizon year, and thus the impact would be less than significant.

For existing conditions VMT, the Plan Area was overlaid on top of the Fresno County Council of Government's (Fresno COG) Activity Based Travel Demand Model (FresnoABM) loaded vehicle assignment network. Total VMT for the SEDA Specific Plan was calculated by multiplying daily volumes on the model's loaded network by distance traveled. In addition, VMT per Service Population (which is the sum of population and employees) was calculated using the FresnoABM's land use database. The same methodology was used to calculate VMT per Service Population at the Year 2035, both with and without project conditions. As described above and in the Recirculated Draft PEIR, the VMT per Service Population in the project area with the project built out in 2035 drops from 45.72 to 5.07 although total VMT is projected to increase due to population and employment growth. No further response is required.

To: longrangeplanning@fresno.gov

With copy to:

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Date: March 23, 2025

Re: Draft Recirculated Program Environmental Impact Report Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California (the "EIR") and SEDA Southeast Development Area Specific Plan Draft (the "SEDA Plan")

Dear Sophia Pagoulatos, Planning Manager, Planning and Development Department, City of Fresno:

I am writing this letter in reference to the EIR and SEDA Plan and have the following questions regarding the proposed implementation of the SEDA Plan and the EIR:

1. On ES-2 under Quantified Objectives, the EIR states that its objectives are to accommodate 40,000 - 45,000 dwelling units with only 30,000 - 37,000 jobs as per Chapters 3.14 and 2.3 respectively. What is the rationale on building more houses than actual jobs for people? How will future residents be able to buy a home here without enough jobs to accommodate the same number of dwelling units? 1
2. On ES-2 under Fiscal Responsibility, the EIR states that the SEDA Plan will provide self-financing for the development and ongoing maintenance while not reducing the City of Fresno's resources already dedicated to the City while not burdening residents outside of the SEDA however the cost of the SEDA Plan and the self-financing thereof is not listed anywhere with the EIR nor the SEDA Plan. How much is the SEDA Plan expected to cost and what is the cost of self-financing? If the cost of the SEDA Plan will not burden residents outside of the SEDA, how does the City of Fresno plan on burdening the residents inside the SEDA and at what costs? How much will SEDA residents' taxes increase? 2
3. Under the same page and section (ES-2, Fiscal Responsibility) and in regards to Chapters 3.11 and 3.18, why isn't the City of Fresno considering the renovation and adaptive reuse of existing structures since this is typically much less expensive than large-scale new construction. The City of Fresno could prioritize retrofitting underutilized spaces instead of 3

spending millions, if not billions, on new infrastructure, utilities (including water, sewer and power), and roads. 3 CONT

4. On ES-2 under Social Equity, the EIR states that the SEDA Plan will promote health by reducing harmful emissions from cars and industry in Chapter 3.8 (Greenhouse Gas Emissions), but how can the SEDA Plan accomplish this during the building phase with all of the emissions from building equipment, subsequent air pollution, hazardous materials, etc.? What steps will be taken and upheld to ensure the safety of residents, workers and wildlife? Prolonged exposure to fine particulate matter and diesel exhaust has been linked to an increase in heart attacks, strokes, and other cardiovascular conditions. What is the City of Fresno going to do to mitigate this exposure? 4
5. On ES-5 under Impact AG-2 which refers to Chapter 3.2 (Agricultural Resources and Forestry Resources) of the EIR, it states that the SEDA Plan includes land under the Williamson Act and convert it to non-agricultural uses without any mitigation to reduce it to less than significant which contradicts the purpose of this program. Please provide details on how the City of Fresno plans to pay for the monetary penalties of up to 25% of the market value of the land plus 25% of the value of any incompatible improvements? Will SEDA residents' taxes be used to pay for these penalties? 5
6. In reference to Chapter 3.10 (Hydrology and Water Quality), what is the budget for the stormwater systems, water supply, altering the existing drainage patterns, capturing the substantial increase in runoff and building additional areas/sources for capturing additional flood water? 6
7. Where is the City of Fresno planning on getting the millions of gallons of water required to build 40,000-45,000 dwelling units as per Chapter 3.10 (Hydrology and Water)? 7
8. On page 2-18 and in reference to Chapter 3.17 (Transportation and Traffic), the EIR states that the City of Fresno will provide "high quality transit service" without any information on how this will be accomplished. What the budget is for such high quality transit service? Please provide the environmental impact report for such transit service? A blank check is unacceptable and such questions must be addressed prior to approval. 8
9. How does the City of Fresno plan on acquiring and funding the necessary resources of adding additional police, fire, ambulatory and other emergency and protective services to accommodate the additional population and increase of businesses and other infrastructure to not only maintain, but reduce both crime and response time to emergencies based on the proposed SEDA Plan (referencing Chapter 3.15 (Public Services))? 9
10. How much money or other financial and non-financial kickbacks are you, all those copied herein and other city officials receiving from land developers, builders, contractors, corporations, etc. to get the SEDA Plan approved? 10
11. With reference to Chapter 3.9 (Hazards and Hazardous Materials), what is the City of Fresno's plan to prevent public and environmental hazards caused by accidents involving the release of hazardous materials into the environment both in the air and water? What is the City of Fresno's plan to mitigate the increase in construction waste in our landfills? 11
12. Referencing Chapter 3.2 (Agricultural Resources and Forestry Resources), the proposed plan will permanently convert thousands of acres of Prime Farmland and Farmland of Statewide Importance into non-agricultural uses, with no feasible mitigation to preserve this essential resource. What is the City of Fresno doing to preserve this fundamental resource and at the very least mitigate this issue? Why isn't the City of Fresno considering focusing on urban infill development, instead of destroying farmland, in an effort to preserve Fresno's farmland and agricultural economy and maintain food production stability? 12
13. Referencing Chapter 3.3 (Air Quality), the SEDA Plan will generate significant criteria air pollutants during construction and operation, exceeding San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds. Mitigation measures cannot fully reduce these 13

emissions and this needs to be addressed by the City of Fresno since we have been working to reduce the pollution for the last twenty years and just within the last decade we have finally seen an improvement where we can actually see the surrounding mountains. The SEDA Plan could reverse all those efforts. Please detail how the City of Fresno would address the following in regards to air quality:

- air pollution and respiratory issues due to the increase emissions of particulate matter, ozone, nitrogen dioxide and diesel particulate matter, all of which are linked to asthma, bronchitis and lung cancer.

- exposure to Toxic Air Contaminants that have been linked to severe illnesses including leukemia

13 CONT

14. One of the SEDA Plan's goals is to reduce vehicle miles traveled (see pages 6, 12, 25, 33, 64, 78 and 110 in accordance with Chapters 3.14 and 3.17). However, per the SEDA plan, only 37,000 jobs are estimated to be created with 40,000-45,000 dwelling units to be built. How can the SEDA Plan accomplish a reduction in vehicle miles travelled when (at the absolute least, assuming 1 person per household) a minimum of 8,000 people (difference between 45,000 dwelling units and 37,000 jobs created) will have to travel outside of the plan area to commute to their jobs when more and more companies are implementing a return to office policy? Additionally if people must travel outside of the plan area, this leads to increased vehicle emissions and traffic resulting in higher rates of health issues (respiratory and cardiovascular diseases) due to prolonged exposure to vehicle exhaust.

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The above questions barely scratch the surface in the number of holes and inconsistencies when trying to understand why the SEDA Plan is still trying to get approved after all these years. The City of Fresno continually attempts to make it make sense, but it never does. There are other alternatives that would benefit all residents, not just the sub-mediocre elected officials, land developers, builders and contractors. It is clear that the best interests of the community have not been considered.

Regards,
Stephanie Brimmer

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## *Stephanie Brimmer (BRIMMER)*

*Response to BRIMMER-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to BRIMMER-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRIMMER-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to BRIMMER-4*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, The proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c,

and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the Plan Area would still have to go through the appropriate level of environmental review where impacts to air quality would be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

*Response to BRIMMER-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly states these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to BRIMMER-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional

information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRIMMER-7*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to BRIMMER-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRIMMER-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRIMMER-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to BRIMMER-11*
The comment is noted.

**Hazards and Hazardous Materials**

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, as detailed in Section 3.9, Hazards and Hazardous Materials, of the Recirculated Draft PEIR, future discretionary projects would be required to implement MM HAZ-2a through MM HAZ-2h to reduce potential impacts related to the reasonably foreseeable upset or accident conditions involving the likely release of hazardous materials into the environment. MM HAZ-2a through MM HAZ-2b include the requirement to conduct a Phase I Environmental Site Assessment (Phase I ESA), agency coordination, and remediation, as applicable.

**Solid Waste**

As detailed in Section 3.18, Utilities and Service Systems, new residential, commercial, mixed use, and public land uses in the Specific Plan Area would increase the amount of solid waste generated by

residents and businesses. The increase in growth and development as a result of the implementation of the proposed Specific Plan would result in an increase of solid waste to transfer stations and landfills and contribute to an increased demand for solid waste services throughout the Plan Area.

Based on the estimated closure dates of the American Avenue Landfill in 2031 and the Clovis Landfill in 2047, there is a potential for additional landfill capacity needed to accommodate the additional development from this Specific Plan. Therefore, development under the proposed Specific Plan could result in a significant impact on landfill capacity. Implementation of the proposed plan would result in a total buildout of approximately 45,000 dwelling units and over 3,000 acres (130+ million square feet) of mixed use, commercial, office, retail, public, and open spaces throughout the Specific Plan Area. The proposed increase in development would result in a long-term increase in solid waste generation with each new land use.

To reduce the significant impacts associated with the solid waste disposal, the City will need to increase disposal capacity. The policies in the General Plan are designed to reduce the potential effect associated with solid waste disposal including those associated with the proposed Specific Plan. The City is responsible for evaluating additional landfill locations to ensure adequate landfill capacity for future development, and MM UTIL-4 requires that the City shall not approve development that could contribute solid waste to a landfill that is at capacity until such additional capacity has been provided. All future development under the Specific Plan would be required to comply with State and local requirements for reduction of solid waste going to landfills. No further response is required.

*Response to BRIMMER-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to BRIMMER-13*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Mitigation measures and analysis related to air quality are discussed in Section 3.2, Air Quality, of the Recirculated Draft PEIR. No further response is required.

*Response to BRIMMER-14*

The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

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**From:** Steven Bruce
**To:** LongRangePlanning
**Subject:** Concerns about SEDA Recirculated EIR
**Date:** Monday, March 24, 2025 2:00:36 PM

**External Email:** Use caution with links and attachments

2250 Myrtle
Sanger, CA 93657
Captain.Shader@gmail.com
3/24/25

To whom it may concern,

It has come to my attention that the City of Fresno is planning development in the southeast area of the city. This replacement of farmland with housing is very concerning to me. It is a lot of homes rapidly being built with the expectation that they will be quickly filled. However, with recent data from the California Department of Finance suggests that Fresno is growing at a much slower pace than these houses would accommodate. 1

In my lifetime I have already seen this sort of excitement building back in the 2008 recession. In which cities like Fresno and Sanger quickly built houses in a similar economic climate. Only for them to have to be abandoned, leaving homes half-built and unoccupied.

Being the center of the county, Fresno has an obligation to stand as an example to the surrounding cities. This will have an effect, as it has in the past, of encouraging the same behavior in our smaller cities. Building 45,000 homes without any consideration for affordable housing is how the City of Fresno continuously keeps individuals like myself out who are both outgrowing our small towns as well as already commuting to Fresno for work and spending most of our money in Fresno. One day I would like to be able to afford housing in Fresno but developments like this keep on pricing me out. 2

It's also my understanding that there will be no affordable housing available. I am already a citizen of Fresno in everything but my home address. I work in Fresno, I shop in Fresno, and I spend my disposable income going to the theaters, bars, and other establishments. It is frustrating consistently being priced out of actually living in Fresno so I do not need to spend extra gas, which causes extra pollution, driving to Fresno daily.

--
Steven Bruce
Community Organizer
(559)999-5706
He/Him/His

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## *Steven Bruce (BRUCE)*

*Response to BRUCE-1*

The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to BRUCE-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Cheryl Smith
**To:** LongRangePlanning
**Subject:** Opposition to SEDA
**Date:** Saturday, March 22, 2025 8:30:16 PM

External Email: Use caution with links and attachments

To Whom It May Concern,

I am writing to express my concern about SEDA. City money should e going toward existing neighborhoods, not new developments where the developers make a huge profit at the expense of those in the city that need attention and ongoing services. I live in the hIstoric Huntington area and Jackson Neighborhood. We need ongoing maintenance for our sidewalks, streets, lights, police presence, funding for school, etc. The city owes established neighborhoods their money and attention. 1

Thank you,

Cheryl Dueck Smith
559-270-9890
3863 E. Kerckhoff
Fresno, CA 93702

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## *Cheryl Smith (C. SMITH)*

*Response to C.S SMITH-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

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**From:** Albert Casares
**To:** LongRangePlanning
**Subject:** southeast Fresno's proposed mega-development comment
**Date:** Tuesday, March 4, 2025 2:38:31 AM

**External Email:** Use caution with links and attachments

Hello I'm Albert casares I have lived in southeast Fresno all my life and I have some comments about the current controversial mega project that I hope will happen soon because I think it's a great project because there is many pros that many would have not think of such economic gain for the surrounding area from businesses to housing availability which benefits pretty much all of Fresno due to the lack of housing which would accommodate our growing population and demand of housing that we lack, even accessing more green spaces which is great for quality of life and I know things come into play such as concerns for the environment from water to our air quality which we can find a solution through grants to funding from the state and the tax revenue that we would gain from this development and I'm all for it I just don't understand why others are against it how do they expect our city to grow and be more productive and have more job opportunities and all it takes is a well planned development that can optimize resources usage promote sustainable practices like public transportation and that would reduce per capita environmental impact alone and Fresno lacks infrastructure and I feel this project would improve that also, and a dense urban population has better access to public services from healthcare to educational institutions and more transportation options which all around is great which also a larger population base in a city would attract businesses leading to the job opportunities which creates higher income levels which is great because southeast Fresno is underprivileged than most of Fresno and has been for decades

1

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## *Albert Casares (CASARES)*

*Response to CASARES-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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**From:** service@grossmayer.net
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Luis Chavez; Garry Bredefeld; Nelson Esparza; todd.stermer@freno.gov; district1@fresnocountyca.gov; district2@fresnocountyca.gov; salquinterro@frresnocountyca.gov; district3@fresnocountyca.gov; district5@fresnocountyca.gov; clerkbos@fresnocountyca.gov; aolivas@fresnocountyca.gov; Mayor; Adrienne Asadoorian
**Subject:** In opposition to SEDA. EIR comments.
**Date:** Monday, March 24, 2025 12:01:57 PM

**External Email:** Use caution with links and attachments

## I. Quantified Objectives es-2.

A. The first objective documented by the SEDA-EIR is to **"accommodate between 40,000 and 45,000 dwelling units".** Between 2021 and 2023 he population of the State of California declined by close to 1 million people. Although California's population grew slightly in 2024, the overall trend since 2019 has been downward. The slight increase in 2024 was attributed to "increased international immigration" which may not continue. The downward population decline was not forecasted. According to a June 2023 LA Times survey, 40% of the people in California are seriously considering leaving. While SEDA's plans assumed 1.5% annual population growth, the California Department of Finance now projects Fresno County will grow by just 0.18% annually over the next 50 years — a difference that fundamentally erodes the project's key assumption. The EIR and SEDA plan have failed to recognize the quickly changing current population statistics and need to be reconsidered in light of the potential for this trend to continue. 1

1. Have you accounted for an un-forecasted decline or flat population for Fresno per recent California Department of Finance projections?
2. What are the taxpayer and environmental costs of annexation on the key elements of the SEDA plan if Fresno's population declines or stays flat along with current California trend?
3. If Fresno's population does decline or stays flat, would this annexation still make sense? 2
    a. Would you allow massive housing development without the new people to fill it?
    b. Would it result in people abandoning city apartments for new housing?
    c. Might this cause Fresno home resale values to plummet and the inner city to crumble?
    d. Could it result in abandoned housing projects spoiling our prime agricultural land....Like the old Running Horse project?
4. What alternatives like city infill have you considered should the population trend continue?
5. Would it be wiser to invest Fresno's limited resources to improve infrastructure inside the current city limits instead of promoting this urban sprawl; potentially without the 3

population to support it?

6. Would it make better sense to postpone this plan for a few years to understand if the current population trends will continue?

3 CONT

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

4

B. A second objective noted in the EIR and the SEDA Plan is also under the Quantified Objectives section. It is to **"Accommodate between 30,000 and 37,000 jobs".** There are currently 643 properties including offices, retail, and industrial spaces available for sale or lease in Fresno County. There are 8,400 available, vacant acres within the Fresno City limits. The Caesar Chavez corridor features vacancy rates of 25 to 30% while Downtown Fresno is becoming a Ghost Town.

1. What is the actual plan to create these alleged new jobs?
2. If the city believes that simply annexing land and expanding Fresno's boundaries can attract new businesses that employ tens of thousands of people, why can't they wave that same magic wand and provide the incentives to bring businesses to areas of Fresno where there are vacant business properties and unemployed city residents who can immediately begin work….without any new infrastructure or land. Why not focus on fixing Fresno's declining downtown and corridors of vacant businesses?
3. Noted economist Tim Bartik, a senior economist and researcher at the W.E. Upjohn Institute for Employment Research points out that "few Americans work in the neighborhood they live in". **Yet the SEDA EIR (3.3.4 - Impact Analysis, Mitigation Measures, and Level of Significance)** assumes "policies that promote active transit, clean air measures, and support the reduction in average vehicle trip distances, which contribute to reducing overall per capita VMT in the region". Isn't it equally likely that the businesses that locate in the SEDA area will cause longer 'average vehicle trip distances? Many would move to the SEDA area for low-cost housing and have to drive further to work in the city. Many others would live in the city and be forced to drive longer distances to work in the SEDA area. Assumptions made in terms of reduction of 'average vehicle trip distance' are clearly wrong.

5

Given the wild assumption of the ability to create tens of thousands of new jobs, the City of Fresno and its residents would be better served simply creating those jobs within the current confines of the city limits. Clean up downtown and declining business corridors and incentivize businesses to locate there instead of trying to expand and ignore the blight. Urban sprawl is not the solution to urban decay.

## II. Fiscal Responsibility:es-2.

C. A third objective noted in the EIR and SEDA plan is to make the SEDA project "self-financed for the development and ongoing maintenance of the SEDA that does not reduce City of Fresno resources dedicated to other areas of the City or burden Fresno residents outside of the SEDA". It is important to note that After close to 20 years the City of Fresno has looked at growing to the South East, there is still no published City Infrastructure Cost Estimate, Financial Feasibility Study or Financing Strategy.

1. Fiscal Responsibility is touted as a key objective of the SEDA plan and is included as a part of the EIR. It has been reported that much of the infrastructure cost information was available in December 2024, yet it has been withheld from public view. FOIA requests have been made regarding the cost estimates yet they are delayed until after the comment period on the EIR. How can concerned citizens comment on the 'fiscal responsibility' of the SEDA plan if the costs have been hidden from public view?
2. Once the costs and financing strategy are officially published by the City of Fresno, will that information be included in the SEDA plan and the EIR comments re-opened to allow citizen comments?
3. How is it fiscally responsible to require current county residents to connect to city water and sewer at a potential cost of over $100,000? Shouldn't the City or the developers pay for that?
4. As the City of Fresno struggles to find cuts for their 20-million-dollar budget deficit, why continue this project that some estimate will require investments of 1-2 billion dollars… but we really don't know what it will cost.

6

Given the fact that cost estimates have been kept from public view, it's not only irresponsible but just wrong to proceed with approval of the EIN that touts Fiscal Responsibility as a key objective.

## Summary

Any plan is only as good as the assumptions that underpin its objectives. The objectives for SEDA as stated in the revised EIR are based on faulty or unproven assumptions such as:

1. Target housing levels of 40000-45000 units is based on incorrect estimates of population growth.
2. Adding 30,000 to 37,000 jobs is unrealistic and locating those jobs far from the current city limits will not reduce average vehicle trip distances.
3. The project cannot be considered fiscally responsible without actually providing any cost estimates, financial feasibility study or financing strategy.

7

Therefore, the SEDA plan and EIR are based on assumptions that are wrong or unproven and that undermine the viability of the project. Instead of spending more money on the dreams of local home builders, it's time to reject the EIR, stop the SEDA project, focus on infilling within

the current city boundaries and fix the real problems of the city.

7
CONT

Virtually every resident and property owner in the SEDA area is against the plan. Maybe it's time to put the SEDA plan to a county-wide vote to see what the voters really think.

Alan Cederquist
735 N. Locan Ave
Fresno, CA

## *Alan Cederquist (CEDERQUIST)*

*Response to CEDERQUIST-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CEDERQUIST-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CEDERQUIST-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CEDERQUIST-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to CEDERQUIST-5*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Finally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to CEDERQUIST-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to CEDERQUIST-7*
The comment is noted. Please refer to *Response to CEDERQUIST-1* through *Response to CEDERQUIST-6*. No further response is required.

**From:** Deborah Bigham
**To:** LongRangePlanning
**Subject:** Comments on EIR
**Date:** Monday, March 10, 2025 3:01:37 PM

**External Email:** Use caution with links and attachments

Section 3.19
With the easily spread of fires, how do you plan to protect those people in these high density housing areas due to their close proximity? As of the recent Palisades fires what is Fresno City's plan to protect their occupants from this same thing happening here. 1

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## *Deborah Bigham (First Letter) (D. BIGHAM 1)*

*Response to D. BIGHAM 1-1*

The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

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**From:** Deborah Bigham
**To:** LongRangePlanning
**Subject:** Comment to EIR
**Date:** Monday, March 10, 2025 3:41:03 PM

**External Email:** Use caution with links and attachments

Section 3.17 Transportation and Traffic
What is the proposed infrastructure cost for this project? What is your budget? It needs to be disclosed before the EIR is accepted. It has been reported that it will be figured out after the council approves the massive project. That is unacceptable and needs to be disclosed prior to any approval. 1

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## *Deborah Bigham (Second Letter) (D. BIGHAM 2)*

*Response to D. BIGHAM 2-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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**From:** Deborah Bigham
**To:** LongRangePlanning
**Subject:** Comment to EIR
**Date:** Monday, March 10, 2025 4:52:36 PM

**External Email:** Use caution with links and attachments

Section 3.15 Public Services Question

Who's paying for the massive bill to build schools to accommodate high density population located in Sanger district? Sanger Unified has real concerns and has replied in writing. What plan do have for funding the schools in this district. Why have estimated costs not been given? Is the concern that the truth would be detrimental to the project? This needs to be corrected before going forward. Asking tax payers to fund a blank check is wrong and needs to be corrected. How does your conscience not bother you. Are you so deceived that you can't be upfront? 1

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## *Deborah Bigham (Third Letter) (D. BIGHAM 3)*

*Response to D. BIGHAM 3-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

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**From:** Deborah Bigham
**To:** LongRangePlanning
**Subject:** Comment to EIR
**Date:** Monday, March 10, 2025 5:00:38 PM

**External Email:** Use caution with links and attachments

Section 3.5 Tribal Cultural Resources

How will the loss of the Hmong culture revenue impact the Hmong culture? Please site the studies that support consideration for the Hmong farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected. 1

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## *Deborah Bigham (Fourth Letter) (D.BIGHAM 4)*

*Response to D. BIGHAM 4-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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**From:** Deborah Bigham
**To:** LongRangePlanning
**Subject:** Comment on EIR
**Date:** Monday, March 10, 2025 5:03:55 PM

**External Email:** Use caution with links and attachments

## Section 3.19 Wildfire

With the easily spread of fires, how do you plan to protect those people in these high density housing areas due to their close proximity? As of the recent Palisades fires what is Fresno City's plan to protect their occupants from this same thing happening here. 1

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## *Deborah Bigham (Fifth Letter) (D. BIGHAM 5)*

*Response to D. BIGHAM 5-1*

The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

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**From:** Deborah Bigham
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; miguel.arias@fresno.com; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer
**Subject:** Comment onEIR
**Date:** Monday, March 24, 2025 3:39:10 PM

**External Email:** Use caution with links and attachments

Section 3.14 Population and Housing

SEDA's original estimated annual population growth through 2050
was 1.5%. The revised population growth estimate is only .18%. Bigger than necessary for population growth is 8.3 X.
This alone undermines the entire basis of the SEDA project. How do you propose to make this feasible. 1

Section 3.14 Population and Housing

SEDA has planned for 44,000 units when
based on the latest population projections. The unit's actually needed is 5,300. There is plenty of land within the City of Fresno. Why can't these units be built on empty acres within city limits and save our farmland? 2

Section 3.15 Public Services

Who will be paying for the massive bill to build schools to accommodate the high density population located in the Sanger School District? Since Sanger Unified has replied to this Project in writing with great concern, please document the projected costs involved with the School district and the plan to fund these schools. Why have no estimated cost been revealed? Are you concerned that the truth would be detrimental to the project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a "blank check" is unacceptable and needs to be corrected. 3

Section 3.17 Transportation and Traffic

After close to 20 years, there is no City Infrastructure cost estimate, Financial feasibility study or Financing strategy. Why is that. There needs to be a cost estimate for accountability before moving forward. 4

Section 3.17 Transportation and Traffic

The potential SEDA Infrastructure Cost is $1,000,000,000 plus and some are guessing it will run as high as 2 billion. But we don't know because no one seems to know. So, where is the money coming from? The Fresno
City budget Deficit for 2025 is $20,000,000. Fresno is struggling with potential budget cuts to balance the budget. So how is it feasible we can afford OVER 1 BILLION DOLLARS for 5

SEDA infrastructure. It's been reported that this will be ironed out after the council approves the massive project. Where's the accountability? What is the infrastructure cost? The budget needs to be disclosed before the EIR is accepted. This needs to happen before prior approval. This blank check is unacceptable.

5 CONT

Section 3.11 Land use and Planning

Fresno (City Limits) has 8,200 vacant Acres which = 134,000 Units. This vacant land already exists within the city limits and can accommodate all the growth anticipated through 2050 and beyond, without the billion plus infrastructure costs of SEDA. Why not start there then move out as needed. It doesn't make sense unless you're a home builder looking for cheap land and a City with taxpayers happy to provide a billion extra dollars to subsidize "your" dream development.

6

Section 3.18 Utilities and Services Systems

What will the long term impact on the environment be when expanding or relocating electric, natural gas, or telecommunications facilities for a project of this magnitude? Can you and will you site your studies? Not having this information is unacceptable and needs addressed.

7

Section3.19 Wildfire

Because of the close proximity of the high density housing, and therefore, the high wildfire risks of rapid spreading, what is your plan to protect the occupants from feared disasters such as the fires in Los Angeles this year. With no plan in place this
is unacceptable and needs to be corrected.

8

Section 5.2 Project Objectives

On 3-7-25 A Public Records request was made for information on the SB2 Grant that funded the SEDA EIR. As of 3-23-25 documents have not been released. In an article in Fresnoland March 3, 2025 by reporter Gregory Weaver said, "Officials have yet to publicly disclose a cost estimate, despite consultants delivering one to City Manager Georgeanne White last December. Where is the fiscal responsibility in this. Until the cost estimate is released and the public is able to make comments the comment period for the RDEIR should be extended 30 days from the release of the cost estimate to the public.

9

3.3 Air Quality

On August 28, 2024 a publication authored by Gregory Weaver of FresnoLand titled "Development projects suddenly in limbo as Fresno scrambles in wake of court ruling" "City officials estimate that the 9,000-acre SEDA project will increase Fresno's annual carbon emissions by 500,000 tons, effectively wiping out the city's progress on climate goals for the next two decades." According to city documents this project is estimated to triple air pollution levels in Southeast Fresno." So why is this quantification of information published prior to the recirculated draft deliberately excluded from the EIR? There is currently not enough information to quantify emissions of specific project development that may occur under the proposed project.

10

## *Deborah Bigham (Sixth Letter) (D. BIGHAM 6)*

*Response to D. BIGHAM 6-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to D. BIGHAM 6-2*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to D. BIGHAM 6-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

*Response to D. BIGHAM 6-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to D. BIGHAM 6-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

*Response to D. BIGHAM 6-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to D. BIGHAM 6-7*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Furthermore, as discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facility would be less than significant impact with mitigation incorporated. No further response is required.

*Response to D. BIGHAM 6-8*
The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

*Response to D. BIGHAM 6-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to D. BIGHAM 6-10*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

City of Fresno
City of Fresno Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, California 93721
longrangeplanning@fresno.gov

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

Dear Ms. Pagoulatos,

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

1. Under the mitigation plan, MM AG-1, Fresno City has no plan to preserve farm land at a 1:1 ratio, so how will this mitigation be implemented and enforced? The alternative in MM AG-1 is unacceptable because it relies on the City to develop a Farmland Preservation Program by 2025. Since the plan is not in place, the environmental impact cannot be determined. Therefore, this plan must not be accepted until a plan is in place and can be adequately evaluated. Having the plan in place with clear requirements provides predictability of the environmental impact. 1

2. In reference to MM AG-1, the City's General Plan Policy RC-9-c does not provide the sole legal basis for mitigation for the loss of farmland to urban development. As you are aware, the California Environmental Quality Act ("CEQA"), Pub. Res. Code 221000 et seq., requires agencies to analyze the significant environmental impacts of projects that they approve or carry out, and *to mitigate those impacts,* where feasible, to a less than significant level. The Legislature has declared that CEQA "plays an important role" in effectuating the important public policy of preserving agricultural lands within the state. Stats. 1993, ch. 812, 1, p. 4428. Accordingly, CEQA's environmental analysis and mitigation requirements extend to farmland conversion. *See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713,ll 733 (EIR deficient due to an inaccurate assessment o the amount of prime farmland to be converted as a direct result of the development project); *Citizens for Open Government v City of Lodi* (2012) 205 Cal. App. 4th 296, p. 320-322 (EIR found conversion of 40 acres of farmland a significant impact even after purchase of conservation easements at a 1;1 ratio). Impact AG-1 states that there is "significant and unavoidable impact." This is not acceptable under CEQA mandates and must be corrected. 2

3. The EIR summarized the total of farmland that would be lost in this plan at 6,661 acres. The SEDA plan states that the Level of Significance After Mitigation (MM AG-1) is Significant and unavoidable. The plan does not conserve any farmland. Alternative 3 would 3

conserve only 648.61 acres. This is not acceptable. Farmland conservation at a 1:1 ratio does not save farm land from destruction in the SEDA area. This destruction reduces food production for feeding people as well as loss of income for families that farm in the area. Alternative 1 (No project alternative) would have the least impact on conversion of farmland to housing. The SEDA plan, plans for 45,000 homes compared to the 17,900 on the existing plan (Alternate 1). Therefore, a large amount of farmland would not be converted to houses under the existing plan and the SEDA plan should be rejected. With the increase in this number of homes and residents, the number of jobs would only be increased from 29,600 to 37,000 jobs. This is unacceptable and will have an adverse on the environment of the planned area. 3 CONT

4. The City of Fresno's General Plan conceived of the development of SEDA in Growth Area II to occur after other infill initiatives, to give those time to gain momentum. The Project History in Appendix A of the EIR states "there is still ample residential capacity within the current city limits and in Growth Area I (which Southwest Fresno and the West Area Neighborhoods Specific Plan areas)." Also refer to 2013-2031 Fresno County Multi-Jurisdictional Housing Element Appendix 1-E Fresno. This mitigation measure has been completely ignored in the EIR and has not been addressed as a reasonable option. Therefore the SEDA plan must not be developed until the space within the current city limits and Growth Area I are utilized. 4

5. The plan has made no consideration at all for the social and economic impact on minority groups. A large number of Hmong and Southeast Asia descendants that farm in this area will lose their income and livelihood as their farms are converted to houses and non-agricultural industries. This is a social injustice and has to be addressed before this EIR can move forward. 5

6. There are no mitigation measures to conserve over 900 acres of agriculture land that is already within the Williamson Act. This is totally unacceptable under CEQA guidelines. This EIR cannot move forward until these lands are secured as agriculture land. 6

7. The public comment received during the EIR scoping period asking for an assessment of the impacts that the plan will have on current and future agricultural operations has not been adequately addressed. Housing, especially high density houses, is incompatible with farming. Mitigation measures in these situations have not been adequately described so a full environmental impact cannot be made. Planning for only organic farming in the area is not adequate as organic sprays are governed at the same level as conventional pesticides and approved by the Environmental Protection Agency (EPA) and California Department of Pesticide Regulation. Therefore, to plan only for the use of organic pesticides will not provide home owners with peace of mind of safety. 7

8. Policy RC-5.2 Hazardous Materials. Prevent contamination of the ground water table and surface water resources and discourage all pesticide use for agricultural and landscaping uses 8

within the SEDA area. This policy is outside the jurisdiction of the City of Fresno. The use of all pesticides for agricultural and landscaping is under the jurisdiction of the Federal EPA and California Department of Pesticide Regulation. This policy is just another way to reduce the feasibility to farm in the SEDA plan area, forcing agriculture out so housing can be built without regard to preserving agriculture land. This policy is not consistent with CEQA's mandate to preserve agriculture land and reasonable measures must be shown how to mitigate hazardous materials in groundwater and surface water and still preserve agriculture land. 8 CONT

9. The measure to mitigate agricultural conversion, page 3.2-15 is stated as "To counter the effects of agricultural conversion, The Specific Plan includes a policy framework to support the integration of agriculture within the urban sphere. Programs that would be integrated into the Specific Plan may include school and neighborhood gardens, community orchards, agricultural education centers." This does not mitigate in any way the loss of agricultural land for production that feeds Fresno, California, and the United States. Community gardens are very limited in their production as well as their use. Limited plantings of nut and fruit trees are susceptible to pests, disease and bird damage without adequate pest control measures and will be a liability. These plantings will become reservoirs for pests and invasive species that could destroy all commercial agriculture in the San Joaquin Valley of California. Therefore, these measures are inadequate to satisfy CEQA mandates for preservation of farmland. 9

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

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

Very truly yours,

Dr. David Ramming
Retired Research Horticulturist, USDA/ARS
SEDA area property owner
Member Southeast Property Owner's Association
dwramming@yahoo.com

Please send CC to all City Council Members as they will be voting on this.
cc: Sophia Pagoulatos, Planning Manager: Sophia.pagoulatos@fresno.gov
District 1: Annalisa Pera: annalisa.perea@fresno.gov
District 2: Mike Karbassi: mike.karbassi@fresno.gov

District 3: Miguel Arias: miguel.arias@fresno.gov
District 4: Tyler Maxwell: tyler.maxwell@fresno.gov
District 5: Special Election on March 18th
District 6: Nick Richardson: nick.richardson@fresno.gov
District 7 Nelson Esparza: nelson.esparza@fresno.gov
City Clerk: Todd Stermer: todd.stermer@fresno.gov
Mayor Jerry Dyer: jerry.dyer@fresno.gov

## *David Ramming (First Letter) (D. RAMMING 1)*

*Response to D. RAMMING 1-1*

The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The PEIR prepared for the proposed project concluded that project implementation could result in potentially significant effects on the environment, and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. The MMRP documents how and when the mitigation measures adopted by the Lead Agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Recirculated Draft PEIR. No further response is required.

*Response to D. RAMMING 1-2*

The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. As discussed in Section 3.2, and consistent with the holding in the case cited by comment (*Citizens for Open Government v. City of Lodi* (2012) 205 CalApp4th 296), Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR, the proposed project would have a significant and unavoidable impact related to the conversion of farmland to nonagricultural uses and Williamson Act Contract land. MM AG-1 requires all future development in the Plan Area which would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural uses to evaluate and mitigate the potential loss of Farmland by utilizing the LESA Model and 1-1 conservation easements.

As the Court determined in the case cited by comment, *Citizens for Open Government v. City of Lodi* (2012) 205 CalApp4th 296, 323, a finding that there are no feasible mitigations measures will be upheld where it is supported by substantial evidence. Reviewing courts will ordinarily defer to an agency's determination that a proposed measure will not provide mitigation. Notably, the comment does not identify any additional potential mitigation for consideration or disagree with the

conclusion in the Draft PEIR that impacts are significant and unavoidable with implementation of the project. Furthermore, no feasible mitigation is available that would reduce impacts to Williamson Act Contract land to less than significant, and impacts would remain significant and unavoidable. No further response is required.

*Response to D. RAMMING 1-3*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to D. RAMMING 1-4*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to D. RAMMING 1-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to D. RAMMING 1-6*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to D. RAMMING 1-7*
The comment is noted. As discussed in Section 3.9, Hazards and Hazardous Materials, the use of pesticides is regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The

Specific Plan contains proposed policies that would further minimize risk of contamination from pesticides. For example, Policy RC-5.2 aims to prevent contamination of the groundwater table and surface water resources and discourage all pesticide use for agricultural and landscaping uses within SEDA through the use of signage, provision of pollution prevention information to SEDA residents and remediation actions. Additionally, project-specific pesticide use would be evaluated at the time of the project-specific CEQA analysis.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to D. RAMMING 1-8*
The comment is noted. As discussed in Section 3.9, Hazards and Hazardous Materials, the use of pesticides is regulated under FIFRA. Further, Section 3.10, Hydrology and Water Quality, provides analysis and mitigation measures associated with groundwater and surface water. Additionally, project-specific pesticide use would be evaluated at the time of the project-specific CEQA analysis.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to D. RAMMING 1-9*
The comment is noted. The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

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City of Fresno
City of Fresno Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, California 93721
longrangeplanning@fresno.gov

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

Dear Ms. Pagoulatos,

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

1. Impact HYD-2: States "The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin." The mitigation measure MM HYD-2d has not been adequately demonstrated in showing that the existing groundwater recharge facilities have produced adequate infiltration into the underground aquifers. Gallons of water input is shown but the real results would be revealed by the change in groundwater table near the basins. There is a large amount of water lost due to evaporation that has not been accounted for. Therefore, inadequate information is available to adequately assess the impact these basins are having. In addition, no studies are provided that show what the infiltration rate of proposed groundwater facilities in the SEDA area would be. The Fresno Irrigation District is building all its groundwater recharge facilities on the west side of its district as they feel the east side is less effective for groundwater recharge facilities. The United States Department of Agriculture, Agricultural Research Service, Stainable Agricultural Water Systems Research Laboratory at Davis, CA should be contacted and methodology they have developed be used to verify that the proposed sites for groundwater recharge facilities are indeed adequate to mitigate the overdraft of the North Kings Groundwater Basin. Even with the infiltration rate determined, theses recharge facilities are only functional when adequate water is available in "wet" rainfall years. Therefore, they are only adequate part of the time. Data is lacking needs to be developed to show how many recharge facilities would be needed on an average during wet and dry rainfall years to have no significant impact on the groundwater levels. 1

2. The hydrology and Water Quality Section 3.10 now completely ignores developing a plan, prior to exceeding existing water demands, and that the City shall pursue provision of adequate water supplies by securing additional water sources and shall not approve development per the Specific Plan for the Plan Area until additional water supply is provided. The city of Fresno is already using nearly all its allocation of surface water from the Fresno Irrigation 2

District (FID). The only way the city of Fresno can obtain additional water is by taking it away from other recipients. Agriculture is the main recipient of water from FID and reducing its water would have serious environmental impact. Important impacts would be: 1. Removal of agricultural land from production. 2. Reduction in the amount of food that could be produced. 3. Less water available for groundwater recharge basins in agricultural areas to replenish North Kings Groundwater basin that extends beyond Fresno City limits and sphere of influence. 2 CONT

3. Public comments received during the Draft Program Environmental Impact Report identified that groundwater overdraft is an issue in the City and requires that the Draft PEIR evaluates the SEDA Specific Plan's impact on groundwater resources. The recirculated EIR states in Impact HYD-2: The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. MM HYD-2d states the City shall develop new and expand existing groundwater recharge facilities to balance increased water demands resulting from the Project Area. The City's plan of reducing its reliance on wells and relying more on surface water, using more surface water to recharge the groundwater through recharge basins sounds great. However, the City of Fresno is already using the majority of its surface water allocation from FID. MM HYD-2c says the City of Fresno will seek additional water sources. No potential additional water resources are identified, therefore this EIR cannot be adequately evaluated based on unknown water sources. 3

4. Under Objective RC-6: Ensure that Fresno has a reliable, long-range source of drinkable , Policy RC-6-1, Natural Recharge. Support removal of concrete from existing canals and change the practice of lining new and existing canals with concrete to allow for natural recharge is unacceptable and is under the control of FID, not the City. Without concrete lining of canals: 1. Delivery of water to the city of Fresno and agriculture would be less efficient, meaning less water for both consumers at the city level and in agriculture. 2. The maintenance costs of the canals would be higher due to erosion of the banks and for weed control. There would be an increase in the soil particulates and contaminants in the water from the soil banks of the canal. 4. There will be damage to the canal banks by rodents and other animals, causing the loss of water from leaks and flooding. This policy and mitigation measure should not be implemented until the EIR is amended with a full report of impact on the environment and water quality. 4

5. Objective RC-6 "Ensure that Fresno has a reliable long-range source of drinkable water" is based on plans to be developed. Example: Policy RC-6-p Water plans. Adopt and implement ordinances, standards and policies to achieve... The effect of building in the SEDA area on the long range sources of drinkable water cannot be determined on plans that have yet to be developed. 5

6. Impact HYD-5 The proposed project will impact the sustainable groundwater management plan by requiring more water for the increased population in the plan area. If increased surface water is used directly through water treatment facilities, it is not available for groundwater recharge, i.e. directly negatively affecting groundwater sustainability. Therefore mitigation measures are required. 6

7. Impact HYD-1. No support is given for the statement that "the proposed project would not ... degrade surface or groundwater quality." Industrial areas are incorporated in this plan and what they produce needs to be evaluated. What studies have been done that the oils in the asphalt roads will not be leached into the surface and groundwater?

Based on these reasons, the recirculated Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 should not be accepted. 7

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

Very truly yours,

Dr. David Ramming
Retired Research Horticulturist, USDA/ARS
SEDA area property owner
Member Southeast Property Owner's Association
dwramming@yahoo.com

Please send CC to all City Council Members as they will be voting on this.

cc: Sophia Pagoulatos, Planning Manager: Sophia.pagoulatos@fresno.gov
District 1: Annalisa Pera: annalisa.perea@fresno.gov
District 2: Mike Karbassi: mike.karbassi@fresno.gov
District 3: Miguel Arias: miguel.arias@fresno.gov
District 4: Tyler Maxwell: tyler.maxwell@fresno.gov
District 5: Special Election on March 18th
District 6: Nick Richardson: nick.richardson@fresno.gov
District 7 Nelson Esparza: nelson.esparza@fresno.gov
City Clerk: Todd Stermer: todd.stermer@fresno.gov
Mayor Jerry Dyer: jerry.dyer@fresno.gov

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## *David Ramming (Second Letter) (D. RAMMING 2)*

*Response to D. RAMMING 2-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to D. RAMMING 2-2*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to D. RAMMING 2-3*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to D. RAMMING 2-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to D. RAMMING 2-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to D. RAMMING 2-6*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to D. RAMMING 2-7*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

City of Fresno
City of Fresno Planning and Development Department
Sophia Pagoulatos, Planning Manager
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Fresno, California 93721
longrangeplanning@fresno.gov

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

Dear Ms. Pagoulatos,

I contest the following areas of the Recirculated Program Environmental Impact Report, Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California State Clearinghouse Number 2022020486:

3.6 Energy. Impact ENER-1: "The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation." I disagree with this assumption because the plan specifies the addition of 45,000 housing units. This will increase the load placed on the electrical grid which is already stressed. For example, currently when we have extremely hot weather the power companies have implemented rolling blackouts to stretch energy as much as possible. This will only increase with the addition of 45,000 housing units and the estimated increase of 250,000 people in the plan area. This has to be addressed in the EIR. Where is all the necessary energy needed for this project to come from? 1

3.7 Geology, Soils, and Seismicity. Impact GEO-2: "The proposed project would not result in substantial soil erosion or the loss of topsoil." I disagree with this statement for the following reasons. 1. The topsoil will be disturbed and impacted by the movement of soil to make the housing foundations and streets, disrupting the layers of soil then available for landscape around the houses. 2. The topsoil will be covered by houses and pavement so that it cannot be used for agricultural use including small family farms. 3. This essentially creates a loss of topsoil for use for vegetation which impacts the air quality and environment. This loss needs to be addressed as no mitigation measures are given and the level of impact is very significant. 2

3.9 Hazards and Hazardous Materials. Impact HAZ-7: "The proposed project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires." I disagree with this statement, especially as we have seen this year, 2025, in the Los Angles area where "wildfires" = uncontrollable fires, have devastated housing and lives in many communities. Mitigation measures need to be taken so this does not happen in 3

the planned area. With the planned increase in the density of houses, this plan is setting up Fresno for disaster. Alternate plan 1 will reduce this problem and should be used instead. 3 CONT

Impact HAZ-6: "The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan." I disagree with this statement as the way the housing developments are being made with limited access and concrete block walls completely surrounding neighborhoods will limit emergency evacuation, endangering many lives. Mitigation measures need to be stated as the liability and loss of lives is significant. Alternate plan 1 will reduce this problem and should be used instead. 4

Impact HAZ-5: "For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the proposed project would not result in a safety hazard or excessive noise for people residing or working the project area." I disagree with the statement as we live in the planned area and the noise from aircraft approaching the airport is very disruptive when trying to hold conservations in person or on the phone, and while listening to audio entertainment. Even dual pane windows do not dampen the noise enough. Mitigation measures are required and the level of impact is Significant. 5

Section 3.8—Greenhouse Gas Emissions. Impact GHG-1: "The proposed project would not generate direct and indirect greenhouse gas emissions, and these emissions would result in a significant impact on the environment." I disagree that no greenhouse gas emissions would be created or affected from the proposed plan. This plan will reduce vegetation which absorbs carbon dioxide, one of the leading greenhouse gases. Mitigation measures are required, none are stated and its impact level is significant. You even state in your impact statement that the project will not generate direct or indirect greenhouse gas emissions (I disagree and want to know what data and studies you have done to substantiate this statement), but add **that there would be** significant impact on the environment. Don't use this plan, instead use Alternate 1 to keep greenhouse gas concentrations lower. 6

Section 3.11—Land Use and Planning. Impact LAND-1: "The proposed project would not physically divide an established community." This plan will divide our established rural communities, disrupting the rural way of life that is healthy for us and our children and grandchildren. Mitigation measures are required as levels of impact are significant. 7

Cumulative Impact: "The project would have a less than significant cumulative impact on land use and planning." This project will have a very large and significant cumulative impact on land use as it will take over 6,000 acres of farm land out of production, changing the landscape of the whole community, affecting air quality, and affecting the balance of greenhouse gases. No mitigation measures are stated, even though the impact of this project is significant. This is unacceptable and this Recirculated Program Environmental Impact Report should not be accepted. 8

Section 3.12—Mineral Resources. Cumulative Impact: "The proposed project would have a less than significant cumulative impact on mineral resources." The project would have a great impact on the mineral resources of the soil that crops are grown on. The project limits the availability of the soil for the production of food and fiber for people and animals. The soil is the greatest mineral resource we have available to us and if it is covered by houses and roads as desired by this plan, significant loss of natural resources will happen. This is unacceptable and this Recirculated Program Environmental Impact Report should not be accepted. 9

Section 3.13—Noise. Cumulative Impact: "The proposed project would have a significant and unavoidable impact regarding construction noise. The proposed project would have a less than significant impact with regard to all other noise and vibration impacts." The analysis of noise is incomplete as it only addresses noise and vibration impacts during construction. The increase in noise after construction due to road noise and increased population noise is not considered and it would be significant. This makes this Recirculated Program Environmental Impact Report incomplete and it should be rejected until this issue has been addressed. 10

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

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

Very truly yours,

Dr. David Ramming
Retired Research Horticulturist, USDA/ARS
SEDA area property owner
Member Southeast Property Owner's Association
dwramming@yahoo.com

Please send CC to all City Council Members as they will be voting on this.

cc: Sophia Pagoulatos, Planning Manager: Sophia.pagoulatos@fresno.gov
District 1: Annalisa Pera: annalisa.perea@fresno.gov
District 2: Mike Karbassi: mike.karbassi@fresno.gov
District 3: Miguel Arias: miguel.arias@fresno.gov
District 4: Tyler Maxwell: tyler.maxwell@fresno.gov
District 5: Special Election on March 18th
District 6: Nick Richardson: nick.richardson@fresno.gov

District 7 Nelson Esparza: nelson.esparza@fresno.gov
City Clerk: Todd Stermer: todd.stermer@fresno.gov
Mayor Jerry Dyer: jerry.dyer@fresno.gov

## *David Ramming (Third Letter) (D. RAMMING 3)*

*Response to D. RAMMING 3-1*
The comment is noted. As detailed in Section 3.18, Utilities and Service Systems, electricity and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical service. As indicated in the 2021 Corporate Sustainability Report, PG&E requested approval for 387 megawatts of additional energy storage from six projects. These projects will provide "system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand." These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity facilities beyond those already planned. Impacts would be less than significant. No further response is required.

*Response to D. RAMMING 3-2*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, as detailed in Section 3.7, Geology, Soils, and Seismicity, of the Recirculated Draft PEIR, compliance with mandatory NPDES permit requirements and the Municipal Code requirements and General Plan policies and proposed Specific Plan policies would minimize potential soil erosion impacts and loss of topsoil from construction-related soil disturbance for construction activities that occur pursuant to the proposed project. As such, potential impacts related to soil erosion and loss of topsoil would be less than significant. No further response is required.

*Response to D. RAMMING 3-3*
The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

*Response to D. RAMMING 3-4*
The comment is noted. At the programmatic level, impacts to the Plan Area would be less than significant. Consistent with the General Plan and SEDA Specific Plan policies, individual development projects would be required to undergo project-specific environmental review, which may require additional site-specific or project-specific measures to reduce any potential impacts and ensure that impacts remain less than significant.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to D. RAMMING 3-5*
The comment is noted. As described in Section 3.9, Hazards and Hazardous Materials, of the Recirculated Draft PEIR, Fresno Yosemite International Airport is located approximately 2 miles from the Plan Area, along East Clinton Way. According to the Fresno Yosemite International Airport Safety Compatibility Zones Map, a small portion of the Plan Area is located within the 60 dB CNEL contour.14 A Larger portion of the Plan Area is located within the Traffic Pattern Zone.15 The 2018 Fresno County Airport Land Use Compatibility Plan (ALUCP) is the plan that governs land use compatibility around Fresno Yosemite Airport. State law establishes that the Fresno County Airport Land Use Commission (ALUC) is one of the review authorities for new land use plans in the Airport Influence Area (AIA). Therefore, ALUC review of the Specific Plan is required. The ALUC advises the City on land use designations in terms of noise, safety, and airspace hazards. The ALUC found the proposed project to be consistent with the ALUCP on August 7, 2023. Therefore, at the programmatic level, impacts to the Plan Area would be less than significant. Consistent with the General Plan and SEDA Specific Plan policies, individual development projects would be required to undergo project-specific environmental review, which may require additional site-specific or project-specific airport land use compatibility measures to reduce any potential impacts and ensure that impacts remain less than significant.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to D. RAMMING 3-6*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was

adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5th District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs.

As such, while the previously circulated Draft PEIR determined that impacts related to GHG emissions would be significant and unavoidable when evaluated against the City's now decertified GHG Plan Update, the Recirculated Draft PEIR determined that impacts related to GHG emissions would be less than significant when evaluated for consistency with the 2022 Scoping Plan and the latest RTP/SCS for the region.

Furthermore, the Executive Summary and Section 3.8, Greenhouse Gas Emissions, have been edited in Section 4, Errata, of this document to clarify the impact findings. No further response is required.

*Response to D. RAMMING 3-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to D. RAMMING 3-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to D. RAMMING 3-9*

The comment is noted. In the context of the CEQA, mineral resources are land areas or deposits deemed significant by the California Department of Conservation (DOC). Mineral resources include oil, natural gas, and metallic and nonmetallic deposits, including aggregate resources. Therefore, agricultural land is not considered a mineral resource under CEQA. No further response is required.

*Response to D. RAMMING 3-10*

The comment is noted. As detailed in Section 3.13, Noise, of the Recirculated Draft PEIR, includes an evaluation of both operational and construction noise impacts that could occur with the implementation of the proposed project.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

**From:** beatrice deleon
**To:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer; LongRangePlanning
**Subject:** EIR
**Date:** Wednesday, March 19, 2025 8:17:24 PM

External Email: Use caution with links and attachments

Section3.15 Public Service
Question: Who will pay for the massive bill to build schools to accomodate the high density population located in the Sanger Unified School District?
Since Sanger Unified has replied to this project in writing with great concern, please document the projects costs involved with the school district and the plan to fund these schools. Why have no estimated costs been given? Are you concerned that that truth would be detrimental to the project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a “blank check” is unacceptable and needs to be corrected also. 1

Section3.17 Transportation and Traffic
Question: How is the City of Fresno planning to pay for the infrastructure cost?
It has been reported that this will be ironed out after the council approves the massive project. What is the proposed infrastructure cost? The budget needs to be disclosed before the EIR is accepted. This “blank check” is unacceptable and needs to be addressed prior to any approval. 2

Section 3.18 Utilities and Service Systems
Question: What will the long term impact on the environment be when expanding or relocating electrical, natural gas, or telecommunication facilites for a project of this magnitude? Please site your studies. No information concerning this is unacceptable and needs to be addressed. 3

Section 3.19 Wildfire
Question: Due to the close proximity of the high density, and therefore, the high wildfire risk of rapid spreading, please state your plan to protect the occupancy from disasters like what happened in Los Angeles this year. Without a plan in place, this plan is unacceptable and needs to be corrected. 4

Sent from my iPhone

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## *Beatrice De Leon (DE LEON)*

*Response to DE LEON-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

*Response to DE LEON-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to DE LEON-3*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Furthermore, as discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facility would be less than significant impact with mitigation incorporated. No further response is required.

*Response to DE LEON-4*
The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

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Juliet Doty
1251 N. Fancher Avenue
Fresno 93737
2.24.25

City of Fresno Planning Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno 93721
559.621.8062

Dear Ms Pagoulatos,

I am writing to formally oppose the Revised Environmental Impact Report (EIR) for the Fresno Southeast Development Area (SEDA), particularly concerning the issues raised in Sections 3.2 and 3.3.

**Agricultural Resources and Forestry Resources (Section 3.2)**
The impact of losing agricultural land, especially the income for Hmong farmers, is a significant concern. There is a pressing need for studies that specifically address this loss and offer solutions to mitigate the impact on this minority community. It is unacceptable to neglect the livelihoods of these farmers, and I urge the city to prioritize this issue. 1

Additionally, the City of Fresno has documented its intent to preserve Prime Farmland. The current plan contradicts these goals, as overriding signed documents dedicated to preserving such land is not only irresponsible but should also be corrected before any further action is taken. 2

**Air Quality (Section 3.3)**
The proposed increase in the electrical grid's capacity raises serious questions about its impact on Fresno. It is unacceptable to proceed without a thorough understanding of this effect. Furthermore, the projected substantial increase in air pollution emissions—potentially by 600% in some areas of Southeast Fresno—has not been adequately analyzed regarding its public health implications. The notion of addressing these concerns only after project approval is akin to providing a "blank check," which is wholly unacceptable and must be documented prior to any approvals. 3

**Concerns Regarding Utility Connections and Costs**
The responsibility placed upon residents to connect to the city's water and sewer lines, coupled with the associated costs, is troubling. The potential financial burden—estimated to exceed $100,000 for water and sewer connections combined—could severely impact homeowners, particularly those on corner lots who would be liable for both sides of their property. Furthermore, the mandatory nature of these hookups and the imposition of a lien on properties for failure to comply are concerning. 4

The long-term implications of annexation for the rural lifestyle, including increased taxes to accommodate the projected population growth, are alarming. The transformation of prime agricultural land into high-density housing will negatively impact water supply, air quality, and property values, which cannot be overlooked.

5

In conclusion, the Revised EIR for the Fresno Southeast Development Area must be reevaluated in light of these critical concerns. I implore the Planning Department to consider the long-term impacts on our community, the environment, and the livelihoods of those affected.

Thank you for your attention to this important matter.

Sincerely,

Juliet Doty

## *Juliet Doty (DOTY)*

*Response to DOTY-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to DOTY-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to DOTY-3*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to DOTY-4*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to DOTY-5*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

**From:** Erika Leonard
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Andrew Janz
**Subject:** SEDA public comment from District 1 resident Erika Leonard
**Date:** Sunday, March 9, 2025 7:40:43 AM

**External Email:** Use caution with links and attachments

Dear Fresno Long Range Planning Team,

I am a City of Fresno District 1 resident writing in response to the new proposed SEDA Environmental Impact Report draft.

**I strongly object to the SEDA plan described in the Recirculated Draft PEIR and urge all City leaders to wholeheartedly reject SEDA in full**.

SEDA will harm the City of Fresno, our neighborhoods, and Fresno residents. The harm is likely to be profound and last for decades. 1

My objections include, but are not limited to, the following five key concerns:

- **The City of Fresno is in debt. Approving SEDA is fiscally irresponsible**. Approving SEDA invites significant additional debt with no guarantee of future development to offset it. This debt will be a burden on city residents, tax payers, and businesses for year to come.
- **The SEDA plan is dangerously outdated, based on a a wildly inaccurate presumed growth rate**. This plan assumes a growth rate ten times greater than our current - and declining - growth rate. 2
- **SEDA will direct our clearly limited resources away from existing neighborhoods and their profound infrastructure needs**. One example: the people in West Fresno have been working for years to get infrastructure changes described in the West Area Specific Plan to improve pedestrian safety, storm drainage, traffic flow, cyclist safety, and green space. I believe successfully implementing their West Area Specific Plan is more important than implementing SEDA - and we have every reason to believe approving SEDA will imperil this and similar plans in our existing neighborhoods. 3
- **SEDA will ham Fresno businesses**. I hear business owners asking for improvements to sidewalks, parking, drainage, traffic flow, and lighting. Thriving businesses support a thriving Fresno, and they deserve better. Investing in SEDA without clear assurance that SEDA will NOT redirect the City's already minimal infrastructure attention away from our existing business districts will be a blow to our existing businesses. 4
- **SEDA will destroy existing communities of county residents who have no voice in this process.** I have listened to the upset voices of people currently living in the area that would be transformed by SEDA. It's not yet part of the City, so they have no council members to fight for them - or even listen to them. SEDA threatens their communities and their agricultural land without taking their interests into account. 5

I am urging all City leaders involved in assessing SEDA and its impact on the City of Fresno to reject this plan to protect us all from the harm it will bring - and to strengthen our capacity to improve and enhance our existing neighborhoods and communities. 6

With appreciation for your public service,
Erika Leonard
619 East Hedges Avenue
Cell 510-334-2242

## *Erika Leonard (E. LEONARD)*

*Response to E. LEONARD-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to E. LEONARD-2*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to E. LEONARD-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to E. LEONARD-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to E. LEONARD-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to E. LEONARD-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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SEDA states that the plan intends to incorporate small scale agricultural operations to honor the heritage of the area. The plan neglects to mention the degradation of already existing agricultural land. SEDA's proposed project area crosses both North Kings Groundwater Sustainability Agency and Central Kings Groundwater Sustainability Agency (GSA) boundaries. (SEDA Draft Specific Plan & CA.Gov, 2025) Both of these GSAs are required by the Department of Water Resources (DWR) and State Water Resource Control Board (SWRCB) to implement groundwater sustainability plans (GSPs). The potential projects included in these plans are: incentivizing lower water use, constructing groundwater recharge facilities, improving pre-existing irrigation infrastructure, fallowing agricultural land for reduced water use, constructing habitat, etc. In order to fund these projects, DWR has awarded 139.5 million dollars to GSP development, implementation, modification, etc. The DWR has also allotted 176.5 million dollars to critically overdrafted basins specifically, which require a great deal more planning and work to reach groundwater sustainability goals, also for GSP implementation (CA.GOV, 2025) . This may sound like a large sum of money awarded to GSAs, but with over 260 GSAs (CA.GOV, 2025), this money disappears quickly.

In order to cover costs for GSP implementation, GSAs have the authority to hold Proposition 218 votes. These votes are usually based on acreage ownership and result in an increase in the local tax to be invested in the GSPs planned projects (lao.ca.gov, 1996). While Proposition 218 fees are required to be charged proportionally to the cost of services provided, this still goes against the benefits listed in the SEDA plan. New, lower-income residents would be required to contribute to the City of Fresno GSA assessment fees, with this being added as a property tax (if they own the property). If they do not, the owner of said property must cover the fees and will most likely charge the residents a higher rent in order to cover the disparity. Despite SEDA proposing that the new developments are intended to help new owners move into their own spaces, it does not seem that the negative effects SGMA requirements have on lower income/younger families has been discussed. 1

The SEDA plan also lists that the preservation of agriculture and farms is a high priority of theirs. However, the plan removes large swaths of land that would be contributing to both Central Kings and North Kings GSA Proposition 218 fees as well as irrigation fees (which do not require a Proposition 218 vote to be implemented). This increases the associated costs for all farms in their respective GSAs, but the smaller family farms suffer severely. An example of a sudden fee increase is Chowchilla Water District's recent fee increase to cover expenses related to the GSP projects they are responsible for in their section of the Chowchilla Subbasin. The district went from charging water users $110 an acre-foot to $165 an acre-foot for irrigation water. This means a small operation could have a sudden 1.5x increase in their payments for water services alone, with a much

larger potential for a higher fee if there is less farmland to account for the charge. This does not account for the potential increase resulting from a Proposition 218 vote, which could be held in an attempt to raise funds for projects and potential result in farmers paying two “separate” entities at the same time for the same service.

I highly discourage the development of a new part of Fresno, specifically one that removes farmland from operation and puts unnecessary financial strain on residential areas intended to benefit from it. 1 CONT

Thank you, and I urge a reconsideration of how to best manage Fresno’s need for integrated/affordable housing.

Erik Rodriguez

Citation:

California, S. of. (n.d.-a). *Groundwater Sustainability Agencies*. Department of Water Resources. https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Groundwater-Sustainable-Agencies#:~:text=SGMA%20required%20Groundwater%20Sustainability%20Agencies,by%20SGMA’s%20initial%20planning%20milestone

California, S. of. (n.d.-b). *Sustainable Groundwater Management Grant Program*. Department of Water Resources. https://water.ca.gov/work-with-us/grants-and-loans/sustainable-groundwater

Sustainable Groundwater Management Act (SGMA) portal - Department of Water Resources. (n.d.). https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true

Understanding proposition 218. (n.d.). https://lao.ca.gov/1996/120196_prop_218/understanding_prop218_1296.html

## *Erik Rodriguez (E. RODRIGUEZ)*

*Response to E. RODRIGUEZ-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Connie Enns-Rempel
**To:** LongRangePlanning
**Subject:** SEDA
**Date:** Saturday, March 22, 2025 9:19:39 PM

**External Email:** Use caution with links and attachments

Hello! My name is Connie Enns-Rempel, and I have lived in the downtown Fresno area for over 50 years. I live in this area by choice, as I love the community, and I also love the larger city of Fresno. I am concerned that once again the city is spending its focus on expansion through housing developments rather than tending to the areas that are already established. We need our resources to go toward the care of the areas that already exist, to repair roads and sidewalks, tend to the street and freeway medians that are often neglected and littered up, clean up graffiti, repair lights, pay for fire and police. There are empty lots that could be filled in. There is much to be done to care for what we have. Please invest resources into tending to the wonderful but neglected areas of our beloved city, rather than once again add to the sprawl. 1

Thank you for your consideration.
My business phone number is 559-227-5449.
Sincerely,
Connie Enns-Rempel

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## *Connie Enns-Rempel (ENNS-REMPEL)*

*Response to ENNS-REMPEL-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Linda Foster
**To:** LongRangePlanning
**Subject:** Concerns About the SEDA Recirculated EIR
**Date:** Sunday, March 23, 2025 11:59:55 PM

**External Email:** Use caution with links and attachments

Dear Ms. Pagoulatos.

Subject: I am Concerned about SEDA.

I do not believe that Fresno needs to rip up farmland in the southeast Fresno area to build more expensive, single family homes.

FRESNO'S REAL NEEDS

Invest in Fresno's Existing Communities.

What Fresno severely needs, is for truly affordable housing to be developed in already existing neighborhoods. Not more huge, single family houses built in the boondocks. 1

AFFORDABILITY

$400,000.00 is not affordable to people making $15.00 an hour. We need housing for waiters, care providers, shop clerks, and other regular people living here. Housing for the people who keep things running and working.

3.17 - TRANSPORTATION AND TRAFFIC

What we really need is housing that is small, centrally located, easy to maintain, and located on bus routes. We need single and multi-family housing that is reasonably priced, safe, well built, environmentally conscious, near shopping, jobs, and other services. 2

IDEAS

Convert older homes, vacant big box stores, Manchester Center, vacant lots, and go up, not out to the farmland. Small to moderate multiple unit, multiple story buildings. Tuck them in everywhere . Convert, repurpose, rethink, reuse, reinvent. 3

3.3.4 - AIR QUALITY ISSUES

Our air quality will suffer from all the extra miles driven by residents commuting from this former farmland. On top of the effects of destroying the farmland and losing the cleaner air from that area. 4

This is not a viable idea. It does not solve the actual housing issues we have here in Fresno. It will just add even worse issues and ramp up inequality.

Submitted by:

Linda Foster
113 W. Palo Alto Ave.
Fresno, CA 93704

City of Fresno District 2

559-438-4235 cel/text
Linda88cel@gmail.com

## *Linda Foster (FOSTER)*

*Response to FOSTER-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to FOSTER-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to FOSTER-3*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to FOSTER-4*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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**From:** Bette.francis41@gmail.com
**To:** LongRangePlanning
**Cc:** Nick Richardson
**Subject:** Concerns about the SEDA Recirculated EIR
**Date:** Friday, March 21, 2025 7:07:22 PM

External Email: Use caution with links and attachments

Friday, March 21, 2025

Dear Ms. Pagoulatos:

I am writing to express my concerns about the SEDA Recirculated Environmental Impact Report (EIR). These are some of the areas that alarm me:

Section 4-2: Growth-Induced Impacts
While the SEDA plan estimates that the population of Fresno will increase by 226,000 people by 2035, the most recent data from the State of California Department of Finance estimates a much smaller growth, 72,000 by 2035 and an additional 19,000 by 2070! The commitment to transform this agricultural land to an entirely new suburb could be a financial disaster for the City. 1

Section 3.3.4 Air Quality
Fresno already has some of the worst air quality in the U.S. The SEDA plan admits it will increase the levels of pollution. Knowing that, why would you pursue this development? 2

Section 3.17 Transportation and Traffic
The report claims that the residents of this new suburb of Fresno, larger than the current population of Clovis, will drive only 5 miles per day. Experts estimate that is 80% less than what they will drive. It is inconceivable that the adult residents of this new suburb, possibly 70,000 people, will find employment within a 2-1/2 mile radius of their new home. And that does not even account for travel for shopping and leisure activities!

I live near the Herndon/Cedar intersection. There are cars zooming everywhere, nearly 24 hours a day, in this Northeast quadrant of Fresno. I can't believe your EIR is correct about how those new homeowners will hunker down in their new community. Fresno would be much better positioned as a desirable place to live if the City Council would energize itself around creating a 21st-century downtown. I cannot think of a major city in California that makes a worse impression than Fresno's downtown does. That is the heart of the City. There are so many things the City Council can do to make Fresnoans proud. SEDA will take money from all those necessary investments. 3

Sincerely,
Bette Blythe Francis
2035 East Palo Alto Avenue
Fresno, CA 93710

Sent from my iPad

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## *Bette Francis (FRANICS)*

*Response to FRANICS-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to FRANICS-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to FRANICS-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

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To: longrangeplanning@fresno.gov

With copy to:

Annalisa Perea: annalisa.perea@fresno.gov
Mike Karbassi: mike.karbassi@fresno.gov
Miguel Arias: miguel.arias@fresno.gov
Tyler Maxwell: tyler.maxwell@fresno.gov
Nick Richardson: nick.richardson@fresno.gov
Nelson Esparza: nelson.esparza@fresno.gov
Todd Stermer: todd.stermer@fresno.gov

Date: March 24, 2025

Re: Draft Recirculated Program Environmental Impact Report Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California (the "EIR") and SEDA Southeast Development Area Specific Plan Draft (the "SEDA Plan")

Dear Sophia Pagoulatos, Planning Manager, Planning and Development Department, City of Fresno:

To Whom It May Concern,

I am writing in reference to the Environmental Impact Report (EIR) and the proposed implementation of the South East Development Area (SEDA) Plan. After a thorough review of the documentation, I have several concerns and questions regarding the rationale, feasibility, financial implications, environmental impact, and long-term effects on both the residents within the proposed development area and the broader Fresno community.

Housing vs. Employment Disparity

According to the EIR (Section ES-2, Quantified Objectives), the SEDA Plan intends to accommodate between 40,000 to 45,000 new dwelling units while only planning for the creation of approximately 30,000 to 37,000 jobs (Chapters 3.14 and 2.3, respectively). This raises a serious concern: What is the justification for building significantly more housing units than there are jobs to support future residents? Without adequate local employment opportunities, how are prospective homeowners expected to afford living in the area? What mechanisms will the City of Fresno implement to ensure this imbalance does not lead to increased economic instability, traffic congestion, or further strain on regional resources? 1

Fiscal Responsibility and Transparency 2

The EIR claims that the SEDA Plan will be self-financing and will not detract from existing citywide resources, nor place a financial burden on residents outside the project area (Section ES-2, Fiscal Responsibility). However, the actual cost of the SEDA Plan and details surrounding its financing structure are conspicuously absent from both the EIR and the Plan itself. What is the projected total cost of the SEDA Plan? What mechanisms constitute this "self-financing," and how reliable are they? If outside residents are not expected to shoulder the financial burden, does this mean those within the SEDA area will? If so, how much will taxes increase for SEDA residents? Without full transparency, the claim of fiscal responsibility remains unsubstantiated. 2 CONT

Neglected Alternatives: Adaptive Reuse of Existing Infrastructure

Chapters 3.11 and 3.18, and again on ES-2, fail to consider the potential cost savings and sustainability benefits of adaptive reuse and renovation of existing structures. Adaptive reuse is widely known to be more cost-effective than large-scale new developments and would reduce the need for expensive new infrastructure such as roads, water, sewer, and power lines. Why has the City of Fresno not prioritized this option as a viable alternative? 3

Contradictory Emissions Claims and Health Risks

The EIR (Section ES-2, Social Equity; Chapter 3.8) claims that the SEDA Plan will promote health by reducing harmful emissions. However, this fails to address the substantial environmental and health impacts during the construction phase. The use of heavy machinery and diesel-powered equipment will release hazardous pollutants into the air and soil. What specific steps will be taken to mitigate this impact during construction? How will the city protect the health of current and future residents, workers, and wildlife from prolonged exposure to fine particulate matter, diesel exhaust, and other toxic emissions known to increase the risk of cardiovascular disease, respiratory illness, and cancer? 4

Loss of Agricultural Resources and Williamson Act Violations

Section ES-5 (Impact AG-2; Chapter 3.2) outlines that the SEDA Plan will convert land currently under the Williamson Act into non-agricultural uses without any mitigation measures. This directly contradicts the Act's intended purpose. Has the City calculated the monetary penalties—potentially up to 25% of the market value of the land and 25% of the value of incompatible improvements? How will these penalties be paid, and will they fall on SEDA residents in the form of higher taxes? Why does the plan ignore the irreversible damage caused by eliminating thousands of acres of prime farmland when more sustainable, infill development options are available? 5

Water Resources and Infrastructure Concerns

Chapter 3.10 (Hydrology and Water Quality) presents no clear financial plan or resource management strategy for the enormous water requirements this project will demand. What is the projected budget for developing adequate stormwater systems, adjusting drainage patterns, and capturing runoff? Most importantly, where will the City of Fresno source the millions of gallons 6

of water needed to build and maintain 40,000–45,000 homes in a region already experiencing water scarcity? 6 CONT

Transportation and Transit Infrastructure

On page 2-18 and within Chapter 3.17 (Transportation and Traffic), the EIR mentions plans for "high-quality transit service," yet there are no specifics on implementation, budget, timeline, or environmental impact. How will such transit systems be funded? Where is the corresponding environmental review? Without concrete details, these claims appear speculative and do not justify proceeding with such a large-scale development. 7

Public Safety and Emergency Services

Chapter 3.15 (Public Services) does not adequately address how the city plans to expand and fund critical emergency services—including police, fire, and medical response—to meet the demands of a significantly larger population and expanded infrastructure. How will Fresno ensure not just the maintenance but the improvement of emergency response times and safety outcomes? What is the budget, hiring plan, and timeline for scaling up these essential services? 8

Ethics, Transparency, and Accountability

Given the scale and stakes of the SEDA Plan, transparency is non-negotiable. I ask directly: how much money or other benefits—financial or otherwise—are City of Fresno officials, developers, contractors, or consultants receiving in connection to this project? Taxpayers deserve to know whether public decisions are being influenced by private gain. 9

Environmental and Health Impacts from Hazardous Materials

Chapter 3.9 (Hazards and Hazardous Materials) raises yet another serious concern. What measures will be taken to prevent accidental releases of toxic substances during construction and operation phases? What is the City's mitigation plan to address the increased burden on landfills due to construction waste? 10

Permanent Loss of Prime Farmland

As stated in Chapter 3.2, the proposed development will irreversibly convert essential farmland into non-agricultural uses. No meaningful mitigation efforts are outlined. Why is Fresno choosing to sacrifice its agricultural heritage and economic base rather than explore higher-density urban infill options? How does the city reconcile this with its commitment to sustainability and food security? 11

Air Quality Degradation

According to Chapter 3.3, the SEDA Plan will generate pollutant levels that exceed the thresholds established by the San Joaquin Valley Air Pollution Control District. This is particularly troubling considering the region's long history of fighting air pollution. After 12

decades of progress, we now enjoy improved visibility and cleaner air—yet this plan threatens to undo all of that. What is the City's plan to mitigate the increase in particulate matter, ozone, nitrogen dioxide, and diesel exhaust—pollutants known to cause asthma, lung disease, and cancer? 12 CONT

Vehicle Miles Traveled (VMT) and Commuting Realities

While the SEDA Plan emphasizes its goal to reduce vehicle miles traveled (VMT), it paradoxically proposes 40,000–45,000 housing units but only 37,000 local jobs (referencing Chapters 3.14 and 3.17). This means thousands of residents will be forced to commute outside the area for work—driving more, not less. With companies increasingly requiring employees to return to the office, this discrepancy will likely increase VMT, vehicle emissions, and health issues tied to prolonged traffic exposure. How does the City intend to square this contradiction? 13

Conclusion

These questions and concerns merely scratch the surface of the numerous inconsistencies, oversights, and gaps in the SEDA Plan and EIR. Despite years of planning, it remains unclear how this project serves the best interest of the community at large. There are more equitable, sustainable, and fiscally responsible alternatives that would benefit all residents—not just elected officials, developers, and contractors. It is imperative that the City of Fresno halt approval of the SEDA Plan until it can offer clear, transparent, and comprehensive answers to these concerns. 14

Sincerely,

Joe Gamradt

2736 N De Wolf Ave

Fresno, CA 93737

## *Joe Gamradt (GAMRADT)*

*Response to GAMRADT-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to GAMRADT-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GAMRADT-3*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to GAMRADT-4*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, The proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The

mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

*Response to GAMRADT-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. The comment is noted.

*Response to GAMRADT-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to GAMRADT-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GAMRADT-8*
The comment is noted. The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1

provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GAMRADT-9*
The comment is noted. The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to GAMRADT-10*
The comment is noted.

**Hazards and Hazardous Materials**

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, as detailed in Section 3.9, Hazards and Hazardous Materials, of the Recirculated Draft PEIR, future discretionary projects would be required to implement MM HAZ-2a through MM HAZ-2h to reduce potential impacts related to the reasonably foreseeable upset or accident conditions involving the likely release of hazardous materials into the environment. MM HAZ-2a through MM HAZ-2b include the requirement to conduct a Phase I Environmental Site Assessment (Phase I ESA), agency coordination, and remediation, as applicable.

**Solid Waste**

As detailed in Section 3.18, Utilities and Service Systems, new residential, commercial, mixed use, and public land uses in the Specific Plan Area would increase the amount of solid waste generated by residents and businesses. The increase in growth and development as a result of the implementation of the proposed Specific Plan would result in an increase of solid waste to transfer stations and landfills and contribute to an increased demand for solid waste services throughout the Plan Area.

Based on the estimated closure dates of the American Avenue Landfill in 2031 and the Clovis Landfill in 2047, there is a potential for additional landfill capacity needed to accommodate the additional development from this Specific Plan. Therefore, development under the proposed Specific Plan could result in a significant impact on landfill capacity. Implementation of the proposed plan would result in a total buildout of approximately 45,000 dwelling units and over 3,000 acres (130+ million square feet) of mixed use, commercial, office, retail, public, and open spaces throughout the Specific Plan Area. The proposed increase in development would result in a long-term increase in solid waste generation with each new land use.

To reduce the significant impacts associated with the solid waste disposal, the City will need to increase disposal capacity. The policies in the General Plan are designed to reduce the potential effect associated with solid waste disposal including those associated with the proposed Specific Plan. The City is responsible for evaluating additional landfill locations to ensure adequate landfill capacity for future development, and MM UTIL-4 requires that the City shall not approve

development that could contribute solid waste to a landfill that is at capacity until such additional capacity has been provided. All future development under the Specific Plan would be required to comply with State and local requirements for reduction of solid waste going to landfills. No further response is required.

*Response to GAMRADT-11*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. The comment is noted.

*Response to GAMRADT-12*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. Mitigation measures and analysis related to air quality are discussed in Section 3.2, Air Quality, of the Recirculated Draft PEIR. No further response is required.

*Response to GAMRADT-13*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to GAMRADT-14*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

March 23, 2025

City of Fresno
Long Range Planning
longrangeplanning@fresno.gov

Re: Southeast Development Area Specific Plan

Dear City of Fresno Planning,

My name is Rebecca Gottselig and I am a resident of Fresno District 5. I am writing to you rather than my council member as my district does not currently have a representative. I would appreciate your time in answering some questions I have pertaining to the Southeast Development Area Specific Plan ("SEDA"). While I, like most people, am concerned with how SEDA while impact the quality of life in my own neighborhood, I also am writing with concern for the long-term health of Fresno as a whole. I have lived, worked, and been educated in many parts of Fresno and am hopeful none of our city will be negatively impacted by SEDA.

The main question I hope can be answered: **Is SEDA an economically viable plan for the City of Fresno ("COF")?**

For the developers, SEDA will undoubtedly be profitable. But what will SEDA cost COF, and can it be afforded without diminishing current services or raising taxes? If so, what information can be provided in support of that assertion?

There are established neighborhoods throughout Fresno with existing infrastructure needs. Will COF be able to address the present and forthcoming needs of existing infrastructure while also funding the infrastructure needed for SEDA? For example, in my own neighborhood, we have huge trees that provide beauty and shade for residents and visitors alike. The majority of these trees are in COF easements and ultimately the responsibility of COF. Many of the trees are aging and in need of regular maintenance or replacement that they don't receive. Multiple of these trees are in front of my own property. The loss of these trees would be a huge detriment to my own longstanding neighborhood in Fresno if infrastructure funds are diverted from current projects, or currently needed projects, to SEDA. These trees are lush, shade-giving, air-cleaning beauties – which are a huge asset COF possesses. These assets should be properly stewarded. If that can be done while also adding new infrastructure with SEDA – wonderful! But it would be a shame to have these assets deteriorate because COF can't fund both existing infrastructure and new, SEDA infrastructure. The same should be considered for all neighborhoods in Fresno: will SEDA financially require COF to neglect current assets in favor of newer prospects? 1

Apart from physical infrastructure, will COF be able to afford the cost SEDA requires for first responders without loss of services to existing COF residents? I am so grateful for the Fresno Police Department ("FPD") and all they do to serve our community. I regularly call FPD to report non-emergency issues. Last year I called FPD with concern of someone who rang my doorbell at 4:00am. It quickly became apparent the individual was on drugs or mentally unstable.

While the issue didn't present immediate threat to my life, it could have quickly turned unsafe. I waited for over an hour to have an officer dispatched to my home to address the situation. All the while my children were asleep inside with a potentially harmful stranger on my property. Thankfully this issue was resolved by FPD without harm to any party. However, I don't desire to live through the stress of that situation again, potentially for an even greater period of time, should the addition of SEDA overextend FPD resources.

Ultimately, I support growing our city if warranted, providing infrastructure to allow for that growth, and seeing economic returns for all involved in the process. However, I don't think that should be done at the expense of already existing neighborhoods and residents. If SEDA is not economically viable for COF, what alternatives can be proposed? For example, are SEDA developers open to discuss cost sharing with COF for the infrastructure needed that is above and beyond the capital deposit already being required? 1 CONT

I hope this question has already been thoroughly researched and thought through for those considering approving SEDA. And truly, I hope the answer is a clear "Yes, COF can afford SEDA without deferring funds from existing neighborhoods." With that, I will look forward to an exciting, profitable, new development that can create interest, health, and prosperity for our city. However, if answers are not available or clear, please consider postponing approval of SEDA until adequate answers can be available for all those affected by this huge decision.

Respectfully,

Rebecca Gottselig
rebeccagottselig@gmail.com
3828 E Huntington Blvd.
Fresno, CA 93702
559-346-8733

## *Rebecca Gottselig (GOTTSELIG)*

*Response to GOTTSELIG-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** service@grossmayer.net
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Luis Chavez; Garry Bredefeld; Nelson Esparza; todd.stermer@freno.gov; district1@fresnocountyca.gov; district2@fresnocountyca.gov; salquinterro@frresnocountyca.gov; district3@fresnocountyca.gov; district5@fresnocountyca.gov; clerkbos@fresnocountyca.gov; aolivas@fresnocountyca.gov; Mayor; Adrienne Asadoorian
**Subject:** Comment on the EIR Report of the SEDA (South East Development Area) Plan Comments
**Date:** Monday, March 24, 2025 11:45:31 AM

**External Email:** Use caution with links and attachments

1. **Groundwater Supplies**

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

--The EIR suggests that it will not approve any development plans until additional water capacity is provided through "…improvements…" in accordance with the City. I need to know who is going to pay for these improvements, what they may entail, if present residents can maintain their current water access and if not, who will subsidize the ENTIRE costs of upgrading or changing to city requirements. 1

2. **Light, Glare, Noise, Fire**

Presently, the proposed areas enjoy a less blatant exposure to the negative city atmosphere of street lights that permeate homes, glare that obliterates the evening skies, and incredible noise from hundreds and hundreds of homes, vehicles and properties that inevitably create excessive incursion into others private properties that will create disputes, hostilities and eventually complaints to law enforcement. Increased police and fire requirements will be vital for any area expecting this huge increase of population. Regulations and laws will have to be strictly enforced or it may be "handled" by established residents who find their lifestyles invaded and violated. 2

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

Will there be new restrictions on presently used *and accepted* crop airborne soil and crop solutions? Will there be controls/limitations tomorrow what is perfectly fine today? 3

4. **Large and small animal ownership**

Will there be new restrictions on the animals that many residents typically own but are not customary or approved to city residences, such as cows, sheep, goats, horses, chickens, pigs, etc. 4

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

a. Who will cover the costs for these immense changes in utilities?
b. Will there be property tax increases for the changes forced on the residents?
c. Will there be increased costs for the access for police, fire, and emergency services?

d. What about the insurance cost increases create

d by companies who see fire dangers with so many homes so close together that can cause immediate need of emergency services?

e. Will the city still provide ditch tenderers, canal management and repair, weed abatement?

5 CONT

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

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

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

6

Elizabeth J Grossmayer
735 N Locan Ave
Fresno, CA 93737
ejgseda@grossmayer.net

## *Elizabeth Grossmayer (GROSSMAYER)*

*Response to GROSSMAYER-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to GROSSMAYER-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Section 3.15, Public Services, of the Draft PEIR, discussed and analyzed the provision of public services within the Plan Area for the proposed project. Although the proposed project would increase the population of the Plan Area, and thus, increase the need for police services, the Specific Plan includes proposed policies related to police protection which would reduce impacts to police services. For example, the Specific Plan includes Policy OS-11.1, which requires that police services are provided in the Plan Area in accordance with the policies of the General Plan, and Policy OS-11.3, which requires that the City's Planning and Development Department work with the FPD as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with the FPD would address design features for safety and crime prevention, siting of police stations, and facilitation of citizen involvement processes. Implementation of these proposed Specific Plan policies would ensure that police services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to pay any development fees applicable at the time site-specific development applications are received to offset the construction and acquisition costs of required police facility improvements.

Furthermore, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would require CEQA analysis on a project-by-project basis as necessary. Therefore, future development under the

proposed project would not result in significant adverse effects related to police services and impacts would be less than significant.

Implementation of the proposed project would result in an increased demand for fire protection services. The Specific Plan includes a number of proposed policies related to fire protection, including Policy OS-11.2 which requires that fire services are provided in the Plan Area in accordance with the General Plan; and Policy OS-11.3 which requires that the City of Fresno Planning and Development Department work with the Fresno Fire Department (FFD) as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with the FFD would address design features for safety, siting of fire stations, and facilitation of citizen involvement processes. Implementation of the proposed Specific Plan policies would ensure that fire protection services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to pay any development fees applicable at the time site-specific development applications are received in order to mitigate the impacts on fire protection facilities caused by future development within the City. Payment of these development fees would offset the construction and acquisition costs of required fire facility improvements.

Additionally, future development within the Plan Area would be required to pay any development fees applicable at the time site-specific development applications are received to offset the construction and acquisition costs of required police facility improvements.

Furthermore, as the City receives development applications for subsequent development under the proposed project, those applications will be reviewed by the City for compliance with the policies and objectives of the General Plan to ensure that fire protection services keep pace with new development. In addition, the Fresno Municipal Code, which implements the City's General Plan, would be reviewed when development applications are received. Therefore, future development under the proposed project would not result in significant adverse effects related to fire protection services and impacts would be less than significant. No further response is required.

*Response to GROSSMAYER-3*
The comment is noted. As discussed in Section 3.9, Hazards and Hazardous Materials, of the Recirculated Draft PEIR, the use of pesticides is regulated under FIFRA. The Specific Plan contains proposed policies that would further minimize risk of contamination from pesticides. For example, Policy RC-5.2 aims to prevent contamination of the groundwater table and surface water resources and discourage all pesticide use for agricultural and landscaping uses within SEDA through the use of signage, provision of pollution prevention information to SEDA residents and remediation actions. Additionally, project-specific pesticide use would be evaluated at the time of the project-specific CEQA analysis. The comment does not raise any significant issues related to the adequacy of the Recirculated Draft PEIR. No further response is required.

*Response to GROSSMAYER-4*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and

analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to GROSSMAYER-5*
The comment is noted. The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to GROSSMAYER-6*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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**From:** Jeff Grunau
**To:** LongRangePlanning
**Cc:** District5; Nelson Esparza; Jerry Dyer; Launa Grunau; Adrienne Asadoorian; Rhonda Dueck
**Subject:** SEDA Project Concerns
**Date:** Sunday, March 23, 2025 1:46:55 PM

**External Email:** Use caution with links and attachments

Good morning,

As I attended the Jackson Neighborhood Association meeting on Thursday night, we were informed of the SEDA project in District 5. I understand the push for more housing. Low inventory for rentals and houses for sale is pushing pricing up, making it difficult for many to afford to live without some major sacrifices.

First off, thank you for the Tulare Street project approval. It finishes the 109-year-old neighborhood where I live, and we finally have sidewalks surrounding the entire area! I also thank you for the progress toward the plans for the new park on Verrue between the 10th and 11th. I can't wait to see the plans after all of the neighbor's input. This leads me to believe the city council can listen to constituents when we bring concerns and ideas to the table. 1

I have some major concerns about the SEDA project.

Fresno is not known as a well-planned city. It has been developer-driven from day one. We are a case study on how ***not*** to plan a city. Our downtown has been struggling for decades now because our city government has followed the money rather than good long-term city planning. A friend of mine, Guido Periscone, the city planner for the City of Marina, is an AICP city planner with over 20 years of urban planning experience with a specialty in complex urban infill development that requires advanced knowledge of CEQA, and the Subdivision Map Act. He has said that Fresno does not do urban infill development well. We do urban sprawl that guts the older parts of the city in favor of chasing the developer's dollar. That is not a good way to be known around the state. 2

I also know there is a larger profit made for investors when developing new virgin acreage versus infill projects. My question to you is why is the profit for investors the highest priority? Why not put the existing constituents that live in Fresno above their profit margin?

We all see it. City Council is a stepping stone to higher government positions and in order to fund those campaigns, there needs to be big donors. Many of those

donors are developers, and the majority of the constituents in Fresno get left in the dust, because we don't have the ability to lift you to the next level monetarily. It would be nice to lift you up with votes because of your integrity and knowing you fought for us. In this last D5 election, I had to choose between the outgoing D5 council member's wife (odd to keep politics in the same house), a person on the Sanger Unified School Board, and a person with low integrity who has fought for SE Fresno for decades. They were not great choices but they had to have money from somewhere to run their campaigns. 2 CONT

The SEDA project is porjected to cost between $1.2 and $4.2 billion dollars to extend the City's sphere of influence. Streets, storm drains, city water and swere lines all have to run out to the 9,000 acres waiting to be developed.

If you need places to spend $1-4 billion dollars in infrastructure, I can find a few places in Districts 5 and 7 that need help before spending that much extending the sphere of influence .

1. First Street from McKinley to Clinton got a wonderful repaving a few years ago! First and Fresno Street south of McKinley through Parallel could use repaving.

2. Huntington Blvd from 6th to Cedar has a few flooding spots and the roots from the Camphors have caused the road to buckle. I hear the trailers of different vendors rattle between 5:00-6:00 most weekday mornings over the raised parts of the street.

3. Speaking of camphors, the one in my front yard has pushed the curb out 4-5 inches into the road as it has grown. The asphalt is buckling from the root growth causing a small speed bump on the right shoulder. That could use a repair. 3

3. There are SEVEN undeveloped commercial lots on Cesar Chavez between First and Cedar that need businesses. One lot is an entire block between 7th and 8th Street. The new Farber Center between 9th and 10th is amazing! Keep the progress rolling! Incentivize businesses looking for infill spaces.

4. Using Google Maps I found 6 vacant lots in the Jackson neighborhood where houses have burned down and the house has not been rebuilt. The Jackson neighborhood is in an area of about 320 acres. How many infill projects are there in the city limits now that could alleviate the problem of the housing shortage without having to extend out to SEDA? The water and sewer, storm drains, and electrical grid are already in place. No need to spend $1 billion to get the services to these lots.

5. If affordable housing is the goal, is the city aggressively making ADUs

accessible? That is a much cheaper option for the taxpayer. If 10,000 ADUs can be subsidized in the city limits it helps the housing crisis with very affordable options. There are $7200-$8400 in fees that can be waived. It would take 119,047 ADUs with fees waived to be equal to the initial cost required for the SEDA project. That is a ton of affordable housing! Even the largest ADU is under $200,000 with building costs, permits and fees. Avalon Commins, the latest affodable housing project by the city was $42 million for 105 units (The Business Journal) That is $400,000 per unit. Again, why are we not pushing ADUs as in infill alternative for housing at half the cost. If the City is willing to spend $400,000 per unit, we could get TWICE to FOUR TIMES as many people into housing using ADUs on existing empty lots!

3 CONT

6. If you need more places to spend $1-4 billion dollars on existing residents, Mono, Balch, Platt, and Verrue all have poor street lighting in contrast to Huntington and Kerckhoff. The City could install the historic street lamps at 5 per block (vs the 2 per block currently in place) on the streets listed. We are the current taxpayers in an old neighborhood that could use the added historic feel for the entire neighborhood.

Page 12: "Regional Town Center The Regional Town Center is at the top of the mixed-use center hierarchy in the Plan Area, serving 40,000 to 60,000 households across the site and within the surrounding communities." This is not sustainable with the water and energy shortage in the state.

Where are the projections coming from for the need to build 60,000 households to make an area in SE Fresno the size of Clovis and attend CUSD schools? Have the projections changed since COVID? The news keeps telling us that people are leaving CA at a rapid pace, not moving to the Central Valley. It does not make sense for the City of Fresno to extend out and add 120,000+ residents if the demand from people moving here is not materializing. I have proposed other, cheaper options with much less risk.

4

Another reason to stop the SEDA project: In 2025 we had a $15 million budget deficit. The entire city budget is $2 billion and the SEDA project is projected to cost between $1.2 and $4.2 billion over the next 20 years. I do a monthly budget for my household and can see this is not wise management of funds. Especially since the city is taking a huge risk if the city builds it and they do not come.

5

Please STOP the SEDA project. Developers have hedged a bet on you to continue to poorly plan the city and follow them around waiving their money. There are enough blight and infill projects within the current city limits that need to be addressed before adding 9,000 more acres and 120,000+ people when it is proven the city can not manage what it already has.

Contact information:

Jeff Grunau
Jackson CDC Board Member
559.281.7909
4056 E Huntington Blvd, Fresno, CA 93702

--
Thank you,

Jeff Grunau

## *Jeff Grunau (GRUNAU)*

*Response to GRUNAU-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to GRUNAU-2*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to GRUNAU-3*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to GRUNAU-4*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Furthermore, as detailed in Section 3.6, Energy, of the Recirculated Draft PEIR, the proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. No further response is required.

*Response to GRUNAU-5*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

SEDA SOUTHEAST DEVELOPMENT AREA

# COMMENT CARD

**Name:**

**Phone Number:**

**Email:**

**Address and Nearest Cross Streets:**

**For more information**
(559) 621-8339
Adrienne.Asadoorian@fresno.gov

**Please tell us your comments on the SEDA Draft EIR and Specific Plan**

Sec. 3.3 AIR QUALITY
1) Site the studies done that show how air quality will change with reference to time. 1

Sec. 3.17
2) How will the influx of trucks impact the residents. Site data. 2

Sec. 3.17
3) What information do you have that supports the project is consistent with state and local plans and policies? Site data. 3

SEDA SOUTHEAST DEVELOPMENT AREA

# COMMENT CARD

**Name:**

**Phone Number:**

**Email:**

**Address and Nearest Cross Streets:**

**For more information**
(559) 621-8339
Adrienne.Asadoorian@fresno.gov

**Please tell us your comments on the SEDA Draft EIR and Specific Plan**

Sec. 3.8
1) How is this project consistent with Assembly Emissions Bill 32's statewide goal of 29% reduction of emissions from business as usual? 4

Sec. 3.8
2) How frequently and for what length of time will the level of particulate air pollution in the area surrounding the Project exceed the Threshold of Significance as outlined by CEQA? 5

SEDA SOUTHEAST DEVELOPMENT AREA

# COMMENT CARD

Name:

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information
(559) 621-8339
Adrienne.Asadoorian@fresno.gov

**Please tell us your comments on the SEDA Draft EIR and Specific Plan**

Section 3.8 and 3.3
1) How will a potential cumulative expansion project affect pollutant concentrations? Please site studies. 6

Sec. 3.3 and 3.8
2) What were the studies and results that showed the effects of energy usage with respect to the projects potential impacts on air quality and GHG? 7

Sec 3.8
3) How does this project affect Global warming. ~~The~~ site statistics site studies 8

SEDA SOUTHEAST DEVELOPMENT AREA

# COMMENT CARD

Name:

Phone Number:

Email:

Address and Nearest Cross Streets:

For more information
(559) 621-8339
Adrienne.Asadoorian@fresno.gov

**Please tell us your comments on the SEDA Draft EIR and Specific Plan**

Sec. 3.17
1) What is the data concening calculating the energy impacts of the project relating to vehicle trips? 9

Sec. 3.8
2) In 2006, Governor Schwarzenegger promoted AB32 to reduce GHG emissions to 1990 levels by the year 2020. Give data to support that this Project will comply with these standards. 10

Sec. 3.8
3) What is the maximum single event noise level allowed by the City of Fresno and how would this project affect this level? 11

## *Helen Ramming (First Letter) (H. RAMMING 1)*

*Response to H. RAMMING 1-1*
The comment is noted. Please refer to Section 3.3, Air Quality, of the Recirculated Draft PEIR for a discussion of the methodology and analysis completed to show potential impacts related to air quality. No further response is required.

*Response to H. RAMMING 1-2*
The comment is noted. Please refer to Section 3.3, Air Quality, and Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR for a discussion of potential impacts related to trucks associated with the proposed project.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to H. RAMMING 1-3*
The comment is noted. Please refer to Section 3.17, Transportation and Traffic, of the Recirculated Draft PEIR, as well as various other sections of the Recirculated Draft PEIR, including Section 3.3, Air Quality, Section 3.8, Greenhouse Gas Emissions, and Section 3.11, Land Use and Planning. These sections provide a detailed analysis of the proposed project's consistency with State and local plans and policies, as applicable. No further response is required.

*Response to H. RAMMING 1-4*
The comment is noted. Please refer to Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR for a discussion of the proposed project's consistency with AB 32. No further response is required.

*Response to H. RAMMING 1-5*
The comment is noted. Please refer to Section 3.3, Air Quality, of the Recirculated Draft PEIR for a discussion of potential impacts related to air quality, such as particulate matter.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to H. RAMMING 1-6*
The comment is noted. Please refer to Section 3.3, Air Quality, of the Recirculated Draft PEIR for a discussion of potential impacts related to air quality, such as cumulative project impacts to criteria pollutant emissions.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of

review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to H. RAMMING 1-7*
The comment is noted. Please refer to Section 3.6, Energy, of the Recirculated Draft PEIR for a discussion of potential impacts related to energy usage. Please refer to Sections 3.3, Air Quality, and 3.8, Greenhouse Gas Emissions, for a detailed analysis of potential impacts on air quality and GHG emissions associated with the proposed project.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to H. RAMMING 1-8*
The comment is noted. Please refer to Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR for a discussion of the proposed project's potential impacts related to GHG emissions, including effects of global warming. No further response is required.

*Response to H. RAMMING 1-9*
The comment is noted. Please refer to Section 3.6, Energy, of the Recirculated Draft PEIR for a detailed analysis of potential impacts related to energy, including those associated with vehicle trips. No further response is required.

*Response to H. RAMMING 1-10*
The comment is noted. Please refer to Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR for a discussion of the proposed project's consistency with AB 32. No further response is required.

*Response to H. RAMMING 1-11*
The comment is noted. Please refer to Section 3.13, Noise, of the Recirculated Draft PEIR for a discussion of potential noise impacts associated with the proposed project. No further response is required.

March 23, 2025

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

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

Dear Ms. Sophia Pagoulatos,
Ms. Adrienne Asadoorian,

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

**I also find it difficult to understand why you promote a plan that you do not have concrete answers for. At the Town Hall meetings we were given answers that were vague, indirect, seemingly deceptive, or contradictory. Considering how massive this plan is, how disruptive this is to hundreds of lives, how intrusive this is, and how it will ultimately change the dynamics of Fresno, residents should be entitled to clear answers from those who want to implement this plan. To be so unprepared with a project of this magnitude is inexcusable and offensive.** 1

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

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

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

# PROJECT OBJECTIVES

**ES-2 Fiscal Responsibility** 2

Since you state that the goal of SEDA is *to "Provide self-financing for the development and ongoing maintenance of the SEDA that does not reduce City of Fresno resources, dedicated to other areas of the City or burden Fresno residents outside of the SEDA*". then please answer the following question.

**Question:** What is the budget that shows you are implementing this policy? To date you are not transparent with the cost and implementation of this SEDA project. Please give concrete data -- not a blank check policy.

2 CONT

**ES-2 Fiscal Responsibility**

Since you state you are planning "*Holistically coordinate infrastructure to integrate efficiencies"*
**Question:** What is the estimated cost of the infrastructure since you are taking pride in fiscal responsibility? Do you have this information, and if so, why is it not made public? If not, you are asking us to approve of the costs with a blank check. The information costs need to be documented and made public.

**ES-2 Fiscal Responsibility**

Since you state the plan is to *"Invest in resource conserving techniques for storm water systems, water supply, etc"*
Question: What conserving techniques are you planning to implement and what is the estimated cost? Please document your information.

3

## Cost Factors

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

## Climate Factors

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

4

## Aesthetics, Light and Glare

**Impact AES-4 (Project-level Light and Glare)**

**Comment:** The Proposed Project states that there will be significant impact concerning the Light and Glare with lighting increased from streetlights etc. What are the significant impacts you are referring to? Please document them. What percentage of this proposed annexation will have streetlights? What is the estimated cost for implementing and maintaining this lighting system?

5

## Section 3.2 Agriculture Resources and Forestry Resources

**Impact AG -1**

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

6

**MM AG-1**

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

**showing that Prime Farmland is being preserved with the equivalent type and quantity of land at a 1:1 ration.** 6 CONT

## Section 3.3 Air Quality

**MM AIR 1b**

**Question:** How will there be enforcement of these ideas be handled - especially over the long term?

**MM AIR 1c**

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

**Question:** The document states that air pollution emissions will increase substantially in Southeast Fresno (possibly by 600% in some areas). The public health impacts of this pollution on local residents has not been analyzed in the EIR. Apparently the City wants to deal with this after the Project's approval. This "blank check" is unacceptable and needs to be addressed and documented prior to approval. 7

**Question:** How will there be enforcement of these ideas be handled - especially over the long term?

**Question:** What is the cost of implementing the plan stated in MM AIR 1c?

## Section 3.5 Cultural Resources

**Question:** How will the loss of the Hmong revenue impact the Hmong culture? Please site studies that support no consideration for the Hmong farmers. Hurting a minority is unacceptable and needs to be addressed and must be corrected. 8

## Section 3.8 Greenhouse Gas Emissions

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

**Question:** Fresno's goal was to reduce $CO_2$ emissions by 559,000 tons a year by 2035. With SEDA, the emissions will increase by 510,000 tons a year. How do you account for this discrepancy and how do you plan to remedy this problem? Without this information, this plan is unacceptable and this "blank check" needs to be addressed and corrected. 9

Impact GHG-1 It is stated "The proposed project would <u>not generate</u> direct and indirect gas emissions and <u>these emissions</u>....." How can any statement be more contradictory? Please explain the contradiction.

## Section 3.11 Land Use and Planning

**Impact LAND-2**

**Question:** This plan contradicts Fresno's written policy of preserving prime farm land. Please explain how this plan is not in conflict with the preservation of prime farm land. Over riding signed documents of preserving Prime Farmland is unacceptable and must be corrected. 10

## Section 3.14 Housing

**Question:** How much of the 45,000 homes will be affordable housing? Jennifer Clark has been reported as saying this detail would be worked out after the City Council approves the project. This is a "blank check" and is unacceptable. This should be corrected and addressed prior to approval. 11

## Section 3.15 Public Services

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

**Question:** Who is going to pay for the massive bill to build schools to accommodate the high density population located in the Sanger School District? Since Sanger Unified has replied to this Project with great concern, please document the projected costs involved with the School district and the plan to fund these schools. Why have no estimated costs been given? Are you concerned that that truth would be detrimental to the Project? Going forward with no plan to implement school growth is unacceptable and needs to be corrected. Asking taxpayers to fund a "blank check" is unacceptable and needs to be corrected. 12

## Section 3.16 Recreation

**Question:** We have been told at the Town Hall Meetings that Eminent Domain is not involved with the Project Plan. Please clarify. Does Eminent Domain occur only after the area is rezoned? Please state facts concerning the plans for Eminent Domain and Rezoning. The indirect answers we have been given are unacceptable. If Eminent Domain and rezoning will not occur, please give us a signed document stating such information. 13

## Section 3.17 Transportation and Traffic

**Question:** What transportation will be available for the residents in the high density areas to obtain high paying jobs in other areas of town? If the 15 minute cities are designed to confine residents to the area without opportunities to pursue jobs on the North side of town, this is unacceptable and needs to be corrected. 14

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

# Section 3.18 Utilities and Service Systems

**Impact UTIL – 1**

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

**MMUTIL-1a**

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

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

**MMUTIL – 1b**

**Comment:** The water supply system needs to be evaluated prior to the adoption of the plan. There is enough information in the plan to be able to be able to evaluate proposed water supply improvements as well as evaluate the environmental impact. To move forward without this information is unacceptable and needs to be addressed. Tax payers should not be endorsing a "blank check". 15

**MMUTIL – 1d**

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

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

**MMUTIL – 1f**

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

**Impact UTIL – 2**

**Question:** The EIR states there are sufficient water supplies for this project and foreseeable future development. Please state your source and details to support this statement. Considering the water levels, the years of drought and the projected number of people you plan to accommodate, this is one of the most important issues that needs to be addressed. Stating that there are "sufficient water supplies" is totally unacceptable. This needs to be corrected and

addressed in detail as the ramifications of a limited water supply are huge! Allowing the Plan to address this after the Plan is adopted is endorsing a "blank check" for major problems ahead.

**Questions:**

1. Where are you drawing your water source from?
2. Is the Kings River considered a source even though it is already low?

This project is huge and the lack of information is unacceptable.

**Questions:**

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

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

15 CONT

**Questions:**

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

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

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

**MM UTIL-2a**

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

**MM HYD -2C**

**Question:** It is stated that "*if it is determined that the development exceeds the water supply, the City will pursue the provision of adequate water supplies by securing additional water sources."* What are the additional water sources you are referring to? How can you guarantee water when the water tables continue to drop?

## Section 3.19 Wildfire

**Impact WILD-1**

**Question 1**: With the proposed high density housing plan, what is the emergency response plan? If there is no plan, there needs to be one prior to the development of the project for the safety of human life. Without an emergency response plan in place, this plan is unacceptable. This needs to be corrected. 16

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

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

**Impact WILD 2**

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

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

**Impact – WILD 3**

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

16 CO NT

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

**Impact – WILD 4**

**Question 1:** Should an unexpected potential threat develop from flooding, landslides, etc., what is the plan of evacuating people?
**Comment:** If there is no plan, this is unacceptable and needs to be corrected There needs to be one prior to the development of the project for the safety of human life.

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

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

Sincerely,

Helen Ramming
SEDA area property owner
Member of Southeast Property Owner's Association
hramming@yahoo.com

cc: City Council Members
Annalisa Pera
Mike Karbassi
Miguel Arias

Tyler Maxwell
Nick Richardson
Mayor Jerry Dyer

16
CO
NT

## *Helen Ramming (Second Letter) (H. RAMMING 2)*

*Response to H. RAMMING 2-1*
This comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to H. RAMMING 2-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to H. RAMMING 2-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to H. RAMMING 2-4*
This comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to H. RAMMING 2-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As described in Section 3.1, Aesthetics, Light, and Glare, of the Recirculated Draft PEIR, the proposed project would include increased development in the Plan Area, leading to increased light from streetlights, exterior lighting from buildings, and vehicle headlights, compared to the current rural and agricultural land uses. Although the proposed project would comply with applicable policies and requirements and implement MM AES-4a through MM AES-4e, which would reduce impacts, impacts related to light and glare would remain significant and unavoidable.

Furthermore, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to H. RAMMING 2-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to H. RAMMING 2-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Furthermore, as discussed in the Air Quality mitigation measures, future discretionary projects would be required to demonstrate compliance with the Air Quality mitigation measures contained within the Recirculated Draft PEIR prior to future discretionary project approval by submitting any documentation to the Director of the Planning and Development Department, or designee. No further response is required.

*Response to H. RAMMING 2-8*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to H. RAMMING 2-9*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5th District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest

RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs.

As such, while the previously circulated Draft PEIR determined that impacts related to GHG emissions would be significant and unavoidable when evaluated against the City's now decertified GHG Plan Update, the Recirculated Draft PEIR determined that impacts related to GHG emissions would be less than significant when evaluated for consistency with the 2022 Scoping Plan and the latest RTP/SCS for the region.

Furthermore, the Executive Summary and Section 3.8, Greenhouse Gas Emissions, have been edited in Section 4, Errata, of this document to clarify the impact findings. No further response is required.

*Response to H. RAMMING 2-10*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to H. RAMMING 2-11*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to H. RAMMING 2-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on

the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

*Response to H. RAMMING 2-13*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to H. RAMMING 2-14*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, the proposed project has various policies related to the provision of public transit within the Plan Area, as well as transportation mitigation measures, which further provide for alternative transit within and connecting to the Plan Area. No further response is required.

*Response to H. RAMMING 2-15*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance

with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project.

Furthermore, as discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facility would be less than significant impact with mitigation incorporated. No further response is required.

*Response to H. RAMMING 2-16*

Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR.

**From:** docandblondie
**To:** LongRangePlanning
**Date:** Monday, March 24, 2025 10:06:53 AM

**External Email:** Use caution with links and attachments

Attn: Planning and Development Department
Sophia Pagoulatos, Planning Manager

Please read our concerns about the SEDA project.

EIR PLAN FOR SEDA
3:15 Public Service
Who is going to pay for the massive Bill to build schools to accommodate the high density population located in the Sanger School district? Please document the projected costs involved with the School Project and the plan to fund these schools.
Why no cost have been given? Going forward with no plan for school growth and cost is unacceptable and to be corrected. Asking taxpayers to fund a blank check is unacceptable also and needs to be corrected. 1

EIR Plan 3:17 Transportation and Traffic
How is the City of Fresno planning to pay for the infrastructure cost? It has been reported that this will be ironed out after the council approves the massive project. What is the proposed infrastructure cost? The budget needs to be disclosed before the EIR is accepted. This "blank check" is unacceptable and needs to be addressed prior to any approval. 2

There are many other areas of concern and we would appreciate hearing back from you.
Thank you

Dr. and Mrs. Douglas Hampson

Sent from my Verizon, Samsung Galaxy smartphone

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## *Dr. and Mrs. Douglas Hampson (HAMPSON)*

*Response to HAMPSON-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

*Response to HAMPSON-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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**From:** Andy Hansen-Smith
**To:** LongRangePlanning
**Subject:** Concerns about SEDA Recirculated EIR
**Date:** Monday, March 24, 2025 12:43:09 PM

**External Email:** Use caution with links and attachments

Hello Sophia Pagoulatos, Planning Manager

3335 E. Kerckhoff Ave
Fresno, CA 93702
March 24, 2025

**4-2 Growth-Induced Impacts**

The SEDA plan relies on outdated population growth projections to justify its development. The report claims Fresno will grow by 226,000 people by 2035, but new data from the California Department of Finance shows a much smaller growth of just 72,000 and only 19,000 more by 2070! There is no need to expand as suggested in the SEDA Plan when Fresno's population is
growing much slower than originally predicted. 1

Fresno needs to continue to increase density along our major corridors to induce more public transit opportunities and reduce our car-dependent infrastructure. SEDA will do very little for affordable housing, increase the use of vehicles for transportation as well as leave the current city's needs underfunded. 2

Thank you for you time,

Andy Hansen-Smith

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## *Andy Hansen-Smith (First Letter) (HANSEN-SMITH 1)*

*Response to HANSEN-SMITH 1-1*

The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to HANSEN-SMITH 1-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Tessa Hansen-Smith
**To:** LongRangePlanning
**Subject:** Concerns about SEDA Recirculated EIR
**Date:** Monday, March 24, 2025 4:31:24 PM

**External Email:** Use caution with links and attachments

To: Sophia Pagoulatos, Planning Manager
From: Tessa Hansen-Smith
3335 East Kerckhoff Avenue
93702, CA 93702
tessaclaire.hs@gmail.com
3/24/2025

**4-2 Growth-Induced Impacts:**
SEDA is using outdated information to base their need for housing on in order to accommodate for a growing population. The fact they are using old data that supports their desires for wealth shows they are not actually thinking of what's best for the city or the people in it who will not be able to afford their new houses but will have to pay taxes to build it nonetheless. 1

**3.3.4 Air Quality:**
The Central Valley is ranked in the top 10 most polluted cities in the entire nation, according to the American Lung Association's 2024 State of the Air report. The SEDA admits their plan for development will increase pollution, but try to soften it by saying everyone who will move there will only drive 5 miles at the most everyday. Meaning they assume everyone will work in that complex, go to school in that complex, and shop in that complex. It's incredibly ridiculous. They assume in this job market people will give up their jobs and pay in hopes of getting a job in this development complex, when someone who is a professor at Fresno State wouldn't feasibly do that. That's just one of many examples of jobs people can't magically relocate or find within this complex. 2

**4-1 Impact AG-1:**
The Central Valley and California as a whole are major contributors to produce and agriculture. The SEDA plans to destroy 6,700 acres of farmland. This will take jobs from farm workers, who are the backbone of this State and are already being unjustly targeted by the current Administration. Crops on farmland help to clean our air, feed not only Californians but much of the United States, and help foster certain ecosystems. Space is a finite resource. Natural, in development land is a finite resource. Houses don't need to spread outwards, but instead should go towards and be affordable. Not just another new housing market for the wealthy to buy because their 10 year old house is too old for them. 3

**3.17 Transportation and Traffic:**
The SEDA claims the people who live in their complex will only drive 5 miles per day, which is 80% less than what experts predict. This is not due to them creating significantly improved public transport systems in their complex that spread to the rest of Fresno and Clovis, but because they naively think and ignorantly state that the new homeowners will 4

just never leave. Fixing already established roads is projected to cost $500 million, and even though that never becomes a priority and roads get worse, somehow a $2-4 billion project is doable. Fixing roads will not only help people in Fresno, but people traveling through or to Fresno. It will help cars have less wear and tear, and can prevent accidents caused by potholes and roads being cracked open from roots.

4 CONT

I have lived in Fresno for nearly 2 decades, and see the same trends over and over. Developmental properties continuously move outwards, costing money and adding pollution, taking away farmland and ecosystems for plants and wildlife. The houses created are rarely if ever Affordable Housing. Just new houses built poorly that are designed to last 10-15 years before the next major development starts and builds new houses for those people to flock to yet again. We need to stop creating new hotspots of comfortable living and leaving what proceeded it to become dilapidated. It is absolutely appalling this trend that is purely from a place of greed continues. Houses aren't built to last anymore but to look shiny short-term for those who can afford it. This likely won't even help our local housing market, as many people have been buying second or third homes and renting them out at high prices as a way to pay for their new home's mortgage. Worse, the houses remain empty even though people live on the streets, 5 people will share a 2 bed 1 bath apartment, and young adults are forced to live at home during or after college because they can't afford a house of their own. Fresno needs to do better.

5

## *Andy Hansen-Smith (Second Letter) (HANSEN-SMITH 2)*

*Response to HANSEN-SMITH 2-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to HANSEN-SMITH 2-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Additionally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to HANSEN-SMITH 2-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to HANSEN-SMITH 2-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to HANSEN-SMITH 2-5*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

**From:** ph057@cvip.net
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; neslon.esparza@fresno.gov; Todd Stermer
**Subject:** [Possible Scam Fraud]Recirculated EIR for SEDA
**Date:** Friday, March 21, 2025 5:20:35 PM

External Email: Use caution with links and attachments

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The sender may trick victims into passing bad checks on their behalf.

If you do not know the sender or cannot verify the integrity of the message, please do not respond or click on links in the message. Depending on the security settings, clickable URLs may have been modified to provide additional security.

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---------- Suspicious threat disclaimer ends here ----------

To: Sophia Pagoulatos, Planning Manager of Planning and Development
From: Paulette Hiraoka, SEDA resident
Re: Recirculated EIR

Below you will find some selected aspects of the Recirculated EIR that are disturbing and will change my life. I wish I had the time and knowledge to address each and every section since the City Council wants to "take away" the rural way of life in southeast Fresno and make it an imaginary perfect future Fresno.

Since the city councils over the years have been unable to do it within the city limits, they want to take over southeast Fresno and try again when they have no pattern of success to prove that it is a wise decision and they are capable of succeeding. Urban sprawl is not the answer. 1

Section 3.1 Aesthetics, Light, and Glare

How can the City of Fresno expect that their plan for Southeast Fresno can be filled with "scenic" resources and landscaped "spaces?"

Currently, areas that were already planned and approved by the city are run down and eye sores. City parks and play areas are neglected and in need of repair. The money has not been in the budget to maintain what has already been built throughout Fresno. 2

Section 3.2 Agricultural Resources and Forestry Resources

How will taking 3,000 acres of farm land out of production for Regional Town Centers, residential structures (both mixed and neighborhood), and offices benefit Fresno's Way of Life?

It impacts Fresno County, small farmers, air quality, noise pollution, and increases crime. It brings all of the negative aspects of city life to our rural community upon which Fresno County was built. Small farmers will lose their livelihood 3

Fresno County had their sneaky and quick meeting to approve the

agreement with Fresno City to receive a bigger share of the taxes from SEDA but that, too, was purely money making based. The only negative vote was from our area representative. 3 CONT

Section 3.3 Air Quality

How will the city justify the "urban heat island" effect created by the SEDA plan?

The EPA states that there is up to a 7-degree temperature difference between urban and rural temperatures. European studies cite up to a 10-degree difference. Living in the valley, this will affect the air quality which the city is already penalized for not meeting federal goals. 4

Section 3.7 Geology, Soils, and Seismicity
Section 3.10 Hydrology and Water Quality

Who will pay for the existing home owners' connection to city sewer and water lines and the disposal of existing septic tanks and condemning our wells?

We have already paid to meet the requirements to build our homes. Now, we are to carry the burden of a decision made by the City of Fresno to give them a larger tax base. 5

We built our home with land so my husband could have a small orchard with trees from his family ranch. I have fruit trees that his father had developed and are now found only on my property. Without my well, I would not be able to keep those trees alive and his father's legacy would be gone forever.

Section 3.13 Noise

How will the increase in noise level from traffic created by the hundreds of new residential homes/apartments and Town Centers/offices be measured?

It cannot because currently the area is rural. Our homes are surrounded by open areas where wildlife are the only sounds one hears. The people who live in Southeast Fresno would have stayed in the city if we enjoyed the sounds of cars driving through our neighborhoods. Adding 45,000 housing units, offices, and a shopping center will bring thousands of cars at all hours of the day. 6

Section 3.14 Population and Housing

How will existing homeowners afford to connect to city water and sewage?

There have been estimates of $10,000-50,000 for each hook up depending upon the distance and the obstacles in our already established yards. Home owners must pay to connect from the street to the dwelling which can be hundreds of feet under concrete driveways, landscaping, and the required drainage ponds we have on our properties. Septic tanks would have to be dug up and wells condemned. We have already paid thousands of dollars to have both installed so we could live in our dream home and area. Of course, that price will inflate by the time the city gets anything done. I am sorry but the city's track record for getting things accomplished in a timely manner is poor. 7

I am a widowed retired person living on my pension. My husband and I planned to live out our lives here. We paid off our mortgage! I maintain my home and myself off of one pension. To force me to take out a loan to pay for water and sewage connections to satisfy this imagined "Fresno future" is shameful.

Even trying to sell my home in the future would have the negative of having to disclose the added cost of a future connection cost. I

would be paying the cost regardless which would result in a significant loss to me. 7 CONT

Section 3.14 Population and Housing

Why build 45,000 additional housing units when there are vacant areas in the City of Fresno?

The concept of "if you build it, they will come" will only empty more Fresno areas and make more eye sores. Property values will decline in Fresno and Fresno will have to deal with more vacant homes and break ins. 8

Section 3.15 Public Services

How will Fresno City protect an additional 9,000 acres of land?

Currently, the Fresno County Sheriff's Department protects this area. The Fresno City Police Department currently has a shortage of police officers. Three firehouses are being closed because of the over 15 million dollar deficit. Fresno City is having a challenging time protecting and serving the current city limits.

The EIR reads that additional police and fire stations could be built and maintained. What monies will you use to fund that? Why would you hope an additional city budget burden would be offset by earning some tax dollars with the SEDA project? 9

Section 3.16 Recreation

How will you be able to fund and maintain any regional/pocket parks?

My husband and I had homes in Fresno. Over the years, I have taken children to Woodward Park and small area playgrounds and have watched them deteriorate. Presently, such expenses have to be put further down list of priorities as the city faces a 15 million dollar deficit. I travel roads to get to some of these places that are in need of repair. The city does not even have the money to maintain what already exists. 10

Leave Southeast Fresno alone and do not destroy the beauty of blossoming fruit trees and the beauty of Fresno County.

Sincerely,
Paulette Hiraoka
7788 E. Floradora
Fresno, CA 93737

Cc: District 1: Annalisa Perea
District 2: Mike Karbassi
District 3: Miguel Arias
District 4: Tyler Maxwell
District 5:
District 6: Nick Richardson
District 7: Nelson Esparza
City Clerk: Todd Stermer

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## *Paulette Hiraoka (HIRAOKA)*

*Response to HIRAOKA-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to HIRAOKA-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to HIRAOKA-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to HIRAOKA-4*
The comment is noted. The comment states that there will be an “urban heat island” effect created by the proposed project. However, the comment does not provide evidence, substantiation, or justification for this assertion. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to HIRAOKA-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-

144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to HIRAOKA-6*
The comment is noted. Section 3.13.4, Methodology, in the Recirculated Draft PEIR details the methodology for the analysis of potential noise and vibration impacts. No further response is required.

*Response to HIRAOKA-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to HIRAOKA-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to HIRAOKA-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to HIRAOKA-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

**From:** Cheyenne J.
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; District5; Nick Richardson; Nelson Esparza; Todd Stermer
**Subject:** Concerns About the SEDA Recirculated EIR
**Date:** Thursday, March 20, 2025 8:52:05 PM

**External Email:** Use caution with links and attachments

Dear Council Member & City Clerk,

I am writing to express my concerns about the SEDA Recirculated Environmental Impact Report (EIR). Below are the key areas that I find alarming and we Fresnonians, WANT ANSWERS:

**#1: Section 4-2 Growth-Induced Impacts:** The SEDA plan relies on outdated population growth projections to justify its development. The report claims Fresno will grow by 226,000 people by 2035, but the new data from the California Department of Finance shows a much smaller growth of just 72,000 and only 19,000 more by 2070. There is NO NEED to expand as suggested in the SEDA plan when Fresno's population is growing much slower than originally predicted. This projection does NOT support the representation of people in Fresno who need affordable housing! Stop building & take care of existing communities & buildings that are the history of Fresno. **NO to "Fresnoland" and MORE FARMLAND!!! Revitalize Fresno! NO to "Fresnoland", NO to SEDA!** 1

**#2: Section 3.3.4 Air Quality:** Fresno ALREADY has some of the worst air quality in the nation, and the SEDA plan admits it will create high levels of pollution. Why worsen our air when the project isn't even necessary? Many already have health issues and struggle in Fresno due to the air quality. Asthma, allergies and smog are among the many critical issues affecting Fresno citizens who did NOT VOTE for this nor approve of this! SEDA will make these issues worse, thus, lessening the quality of life for those living in Fresno. **NO to "Fresnoland" and MORE FARMLAND!!! Revitalize Fresno! NO to "Fresnoland", NO to SEDA!** 2

**#3: Section 4-1 Impact AG-1 (Farmland Loss):** The project will destroy 6,700 acres of farmland - land that helps clean our air and supports local agriculture. Replacing it with development will increase pollution and hurt our local economy. Again, stop building & take care of existing communities & buildings that are the history of Fresno. Not only will this save money but it will improve Fresno as a whole! **NO to "Fresnoland" and MORE FARMLAND!!! Revitalize Fresno! NO to "Fresnoland", NO to SEDA!** 3

**#4: Section 3.17 Transportation & Traffic:** The report claims that by 2025, people in SEDA will drive only 5 miles per day -- 80% less than what experts predict. This assumption is unrealistic and ignores Fresno's existing car-dependent infrastructure. This is beyond the allocated $1-$4 billion SEDA plans to divert from resources of critical needs such as our broken roads, sidewalks and neighborhoods. Stop building & take care of existing communities & buildings that are the history of Fresno. **NO to "Fresnoland" and MORE FARMLAND!!! Revitalize Fresno! NO to "Fresnoland", NO to SEDA!** 4

This SEDA project is wrong on SO many levels in my personal opinion. Having lived here all my 47 years of life, I have watched my hometown, which I love, turn into the "next LA" **which I HATE and many DO NOT WANT!!!** Fresno is an agriculture town. Fresno is rich in its history. Fresno has many depleted areas of which the money proposed to SEDA could almost 'reinvent' Fresno in a MUCH BETTER way as the "next LA" than SEDA could ever do! What you are doing is completely wrong and this project will break Fresno entirely. This project will push out our farmers and force them elsewhere to farm. This project will NOT support the existing homeless issues and only increase the lack of affordable housing to the existing citizens of Fresno. Who are you building this for? Not those in the valley! SEDA is ONLY for outsiders, who will not spend & consume here but just sleep here and travel outside Fresno to work and consume elsewhere. SEDA plans need to be stopped and those in charge must look at the amazing opportunity right under your noses here in beautiful Fresno. **Revitalize Fresno! NO to "Fresnoland", NO to SEDA!** 5

If you need to contact me, feel free. Mobile #: 559-360-1597. Thank you for your time!

***~Live Vertically~***
***Cheyenne Jenvey***

## *Cheyenne Jenvey (JENVEY)*

*Response to JENVEY-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to JENVEY-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JENVEY-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JENVEY-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to JENVEY-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Bruce Jewell
**To:** LongRangePlanning
**Subject:** SEDA Proposal
**Date:** Friday, March 21, 2025 1:03:28 PM

External Email: Use caution with links and attachments

Bruce Jewell
6260 N. Palm Avenue, Unit 122
Fresno, CA. 93704

City of Fresno
Planning and Development Department
Attn: Sophia Pagoulatos Planning Manager

As a third generation Fresno resident who has seen the effects of poor planning erode the possibilities of creating a truly beautiful city, I am writing to express my concerns about the SEDA Recirculated Environmental Impact Report which I believe fails to present a realistic picture of the impact of the SEDA project. Among my many concerns the following stand out. 1

1. 4-2 Growth-Induced Impacts
The SEDA plan relies on outdated population growth projections to justify its. development. The report claims Fresno will grow by 226,000 people by 2035, but new data from the California Department of Finance shows a much smaller growth of 72,000 and 19,000 more by 2070. Thus there is no need to expand as suggested in the SEDA Plan when Fresno's population is growing much slower than originally predicted. 2

2. 3.3.4 Air Quality
Fresno already has some of the worst air quality in the nation. The SEDA plan admits it create high levels of pollution. Why worsen our air quality for a project that isn't necessary. The air quality is already so poor that we have the highest asthma rates in the nation. One might consider whether potential new residents will wish to expose themselves and their children to an already unhealthy climate. 3

3. 4-1 Impact AG-1 (Farmland Loss)
The SEDA Project will destroy 6,700 acres of farmland. This farmland helps clean are already dirty air and is foundational to the local economy. Replacing the farmland with a development that damages our health and economy cannot be called a rational decision. 4

4. 3.17 Transportation and Traffic
The report claims that by 2025 people in SEDA will drive only 5 miles per day—80% less than what experts predict. This is unrealistic and ignore Fresno's car dependent infrastructure. 5

Speaking of our car dependency, the streets in my area of town, and I assume others, are full of potholes.which I try to dodge every day.
If we are going to float huge bonds to build roads for SEDA which taxpayers like myself will pay for should we not instead pay to have existing roads repaired and maintained instead? The City of Fresno should prioritize the current need of our city rather than moving forward with SEDA. 6

Sincerely,

Bruce Jewell

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## *Bruce Jewell (JEWELL)*

*Response to JEWELL-1*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to JEWELL-2*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to JEWELL-3*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JEWELL-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JEWELL-5*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to JEWELL-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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| | |
|---|---|
| **From:** | Valerie Johnson |
| **To:** | LongRangePlanning |
| **Cc:** | Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer |
| **Subject:** | Concerns regarding SEDA |
| **Date:** | Monday, March 24, 2025 4:41:50 PM |

**External Email:** Use caution with links and attachments

Dear Ms. Pagoulatos,

I am writing to express my concerns about the SEDA Recirculated Environmental Impact Report (EIR). Below are key areas that I find alarming:

**4-2 Growth-Induced Impacts**

The SEDA plan relies on **outdated population growth projections** to justify its development. The report claims Fresno will grow by 226,000 people by 2035, but **new data from the California Department of Finance shows a much smaller growth of just 72,000 and only 19,000 more by 2070!** There is no need to expand as suggested in the SEDA Plan when Fresno's population is growing much slower than originally predicted. 1

**3.3.4 Air Quality**

Fresno already has some of the **worst air quality in the nation,** and the SEDA plan admits it will create high levels of pollution. **Why worsen our air when the project isn't even necessary?** 2

**4-1 Impact AG-1 (Farmland Loss)**

The project will destroy **6,700 acres of farmland**—land that helps clean our air and supports local agriculture. Replacing it with development will **increase pollution and hurt our local economy.** 3

**3.17 Transportation & Traffic**

The report claims that by 2025, people in SEDA will drive only **5 miles per day—80% less than what experts predict.** This assumption is **unrealistic** and ignores Fresno's existing car-dependent infrastructure. 4

**Invest in Fresno's Existing Communities (an example)**

*I live near Fig Garden Village and there are terrible streets in that area, particularly on Shaw Ave and terrible sidewalks in disrepair on Delno where my daughter's family lives. I would like the city to fix the streets and sidewalks instead of putting our money at risk for the SEDA Plan. I urge the City of Fresno to prioritize reinvesting in existing neighborhoods rather than moving forward with SEDA.* 5

Sincerely,

Valerie Johnson
valeriejohnson@comcast.net

**CC** annalisa.perea@fresno.gov
mike.karbassi@fresno.gov
miguel.arias@fresno.gov
tyler.maxwell@fresno.gov
nick.richardson@fresno.gov
nelson.esparza@fresno.gov
todd.stermer@fresno.gov

## *Valerie Johnson (JOHNSON)*

*Response to JOHNSON-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to JOHNSON-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JOHNSON-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to JOHNSON-4*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to JOHNSON-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

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**From:** Kevin Dueck
**To:** LongRangePlanning; Annalisa Jaquez; Mike Karbassi; Miguel
**Subject:** I oppose SEDA!
**Date:** Sunday, March 23, 2025 9:03:20 PM

External Email: Use caution with links and attachments

Arias <miguel.arias@fresno.gov>,
Tyler Maxwell <tyler.maxwell@fresno.gov>,
Nelson Esparza <Nelson.Esparza@fresno.gov>,
"Nick.Richardson@fresno.gov" <Nick.Richardson@fresno.gov>,
Jerry.dyer@fresno.gov,
Sarah.Boren@fresno.gov,
Georgeanne White <Georgeanne.White@fresno.gov>,
Jennifer Clark <Jennifer.Clark@fresno.gov>,
"andrew.janz@fresno.gov" <andrew.janz@fresno.gov>,
District1 <District1@fresno.gov>,
"district2@fresno.gov" <district2@fresno.gov>,
District3 <DISTRICT3@fresno.gov>,
District4 <DISTRICT4@fresno.gov>,
District5 <DISTRICT5@fresno.gov>,
District6 <District6@fresno.gov>,
DISTRICT7@fresno.gov
X-Mailer: Apple Mail (2.3826.400.131.1.6)

City council and City government

I am very concerned about SEDA! I am concerned about how the city thinks it will be able to afford this. I am concerned that the infrastructure needs of my neighbohood will be met if all these funds are going to this new development. I am concerned that this is being done instead of infill. I am concerned because there are many neighborhoods in Fresno that have been neglected and this action would further enhance the problem. 1

Please vote to end SEDA!

Kevin Dueck
3401E Hungington blvd

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## *Kevin Dueck (K. DUECK)*

*Response to K. DUECK-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Nancy Klassen
**To:** LongRangePlanning; Rhonda Dueck
**Subject:** SEDA
**Date:** Sunday, March 23, 2025 7:40:44 PM

**External Email:** Use caution with links and attachments

I have just learned about a plan to build a huge new housing development in southeast Fresno. This is an old area of Fresno with lots of history and character. I don't want it to be indiscriminately cleared for new construction.
We DO need new housing nestled into available spaces in south Fresno - housing that could help alleviate stress on people who are paying such high rent prices now - and very low cost housing for people who are homeless and living in south Fresno. 1
Please use available funds to improve existing streets, sidewalks, bicycle pedestrian walk/exercise paths, improve and create parks, affordable homes integrated into our currently existing neighborhoods.
Please spend the available funding to improve the lives of southeast Fresno's current residents.
Earnestly and sincerely,
Nancy Klassen
3704 E. Kerckhoff Ave
Fresno, CA 93702

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## *Nancy Klassen (KLASSEN)*

*Response to KLASSEN-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Tim Kutzmark
**To:** LongRangePlanning
**Subject:** Concerns About the SEDA Recirculated EIR
**Date:** Monday, March 24, 2025 3:06:20 PM

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**External Email:** Use caution with links and attachments

March 24, 2025

Dear Ms. Pagoulatos -

I have grave concerns about the SEDA Recirculated Environmental Impact Report, and I will highlight 2 (although I have many more concerns):

3.3.4 AIR QUALITY
Fresno has some of the most polluted air in the country, with great impact on the health of those who live in the city and county and beyond. The SEDA plan acknowledges that it will add even more pollution into the air we breathe, but says nothing about measures taken to mitigate that additional pollution. That is irresponsible and incomplete planning. 1

4-1 IMPACT AG-1 (Farmland Loss)
Agriculture provides employment and income for residents of the city and county. It also helps feed people in the city and county and far beyond. SEDA will destroy 6,700 acres of farmland that is currently serving the city and county, providing employment but also income. 2

Thank you.

Tim Kutzmark
2732 E Darlington Ct
tkutzmark@uufresno.org

**Rev. Tim Kutzmark**
*Minister, Unitarian Universalist Church of Fresno*

"May the longtime sun shine upon you,
all love surround you,
and the pure light within you
guide your way on."



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## *Tim Kutzmark (KUTZMARK)*

*Response to KUTZMARK-1*

The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to KUTZMARK-2*

The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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Dear Councilmember Arias,

Fresno City's Southeast Development Area Specific Plan raises multiple red flags that alarm me as a voter and taxpaying resident.

1. Your document presents a dreamscape of parks, trails, senior centers, libraries, recreation facilities, as well as new schools and medical facilities. There will also be sidewalks unbuckled by tree roots, tree-lined roads without potholes, and well-lighted neighborhoods.

Who will provide the infrastructure for all of these wonderful amenities?

The city's existing infrastructure is in serious decay. While E Floradora recently received much needed speed bumps, (thank you!) the bumps were installed over a crumbing street. Each time I look at the deep cracks, I cringe thinking of the hapless bicyclist whose wheel gets caught in one of the deep crevices and goes headfirst over the handlebars. A lawsuit is waiting to happen, a life potentially ruined or lost. While the sidewalk in front of my house is perfect, the route I take to my daughter's home a few blocks away is fraught with tripping hazards, it's sidewalks buckled by tree roots. I'm 83 and I fear a fall that could permanently disable me — or kill me. 1

The City of Fresno, which is currently wrestling with a $20 million budget shortfall, appears to be in no position to assume such a *speculative* debt, especially in view of its inability to adequately maintain its existing infrastructure.

2. SEDA will use city money on 9,000 acres of new infrastructure outside city limits.

California's current population growth statistics indicate that it is questionable that enough people will want to move here to make this a viable investment. Furthermore Fresno already has enough vacant land *within* the city limits to accommodate nearly three times the population for SEDA. Downtown Fresno is dead. West Fresno is in desperate need of sidewalks and other infrastructure repairs and upgrades. 2

Fresno should focus on the needs of its current neighborhoods. Existing neighborhoods need safe sidewalks, adequately maintained streets, parks, libraries, bike paths, and well-lighted streets. Fresno can't afford to fantasize about a dreamscape; it needs to focus on the real citizens living here now, trying to make good homes for their families, not imaginary people who might live here five years from now.

3. The SEDA plan says that water infrastructure planning tasks will happen after SEDA is adopted.

The San Joaquin Valley is sinking because too much groundwater is being pumped. The state is cutting back on water supplied to farmers. Drinking water for people is a priority, but we also eat and farmers need water for their crops. We have good snow years and bad ones — we never know what next year will provide. The Colorado River is drying up, which affects Southern California, which then affects us. The weather is getting hotter and the hot weather is lasting longer. 3

Fresno MUST consider water BEFORE it adopts any plan for development. I hate to think how much money the city has spent to craft SEDA, but it's time to scrap SEDA and focus all efforts on making the existing City of Fresno the very best it can be. This city is rich in talented, creative people. Let's fix up what we have while making it a showplace. We can do that!

Sincerely,

Lynda E Leonard
1501 N Wilson Avenue
Fresno, CA 93728

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## *Lynda Leonard (L. LEONARD)*

*Response to L. LEONARD-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to L. LEONARD-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to L. LEONARD-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

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**From:** Paul Lake
**To:** LongRangePlanning
**Subject:** Concerns about SEDA
**Date:** Monday, March 24, 2025 3:51:29 PM

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**External Email:** Use caution with links and attachments

To: Sophia Pagoulatos, Planning Manager

Yes… we need more AFFORDABLE housing, not more urban sprawl. SEDA will cause more pollution and cost local gov'ts too much money for new infrastructure to support this housing development that will come from diverting funds from fixing current infrastructure. This is not NIMBYism. We need the right kind of new housing. 1

No on SEDA.

Respectfully,

Paul Lake
4513 E. Rialto Ave.
Fresno, CA 93726

Sent from Yahoo Mail for iPad

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## *Paul Lake (LAKE)*

*Response to LAKE-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Kathryn Lemon
**To:** LongRangePlanning
**Subject:** Annexing SouthEast area.
**Date:** Friday, March 21, 2025 3:24:15 PM

External Email: Use caution with links and attachments

3.3 Air Quality
How will the concern about increasingly poor air quality be addressed?
Adding another 200,000 people without any plan of improving the areas air quality will increase health issue for the population.
As a retired school nurse, the increase in students needing inhalers for asthma was great. Sports were limited due to very significant bad air quality days.
We cannot ignore the fact that the health of our community now & in the future depends on clean air.
Kathy LeMon, RN
Sent from my iPhone

1

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## *Kathryn LeMon (LEMON)*

*Response to LEMON-1*

The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice. No further response is required.

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**From:** Kyle Lyman
**To:** LongRangePlanning
**Subject:** Public Comment: SEDA Environmental Review
**Date:** Monday, March 3, 2025 9:57:38 AM

**External Email:** Use caution with links and attachments

Hello,

I would like to leave a public comment for the recent SEDA environmental review and the new knowledge I've learned about this project.

After seeing this article:
https://fresnoland.org/2025/03/03/will-southeast-fresnos-proposed-mega-development-be-denser-than-new-york-city/?utm_medium=email

I urge the city leaders and officials responsible for this project to reconsider the current plan as it has been presented. It is clear that this project will only contribute more to urban sprawl and devastate the environment. It is especially concerning to see a lack of transparency by the city for the data and numbers presented in terms of emissions, as well as urban density that has been misleadingly presented. 1

While I support the need for growth in our city, the plan presented will only cause more harm than good: for the environment, city traffic, and the overall health and safety of our city residents. There needs to be a much clearer understanding of what assurances will be provided to mitigate environmental impacts from this development. I'd like the city to actually provide how it got to its conclusion that this area will have more urban density than San Francisco based on job to people ratios, since it's clear in the rest of Fresno this is far from the truth. 2

To make extraordinary claims, you need extraordinary evidence. The lack of substantial evidence for the city's claims should give everyone pause and reconsideration for this project as it stands.

Thank you,
Kyle Lyman

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## *Kyle Lyman (LYMAN)*

*Response to LYMAN-1*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to LYMAN-2*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

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**From:** art maldonado
**To:** Adrienne Asadoorian
**Subject:** Re: SEDA
**Date:** Tuesday, March 18, 2025 8:37:47 AM

**External Email:** Use caution with links and attachments

Let me know that you received this…thanks
3.17 Transportation and Traffic regarding SEDA
Concerns and Question: We have been heavily impacted by high levels of traffic in our area due to new neighborhoods, several churches and schools. How will the city address the serious damage to our roads, the high possibility of serious traffic accidents, the lack of adequate lighting for night drivers. Does the city have a financial plan to address these issues. We need to see something in place.
Sent from my iPad

1

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## *Art Maldonado (MALDONADO)*

*Response to MALDONADO-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** John Minkler
**To:** LongRangePlanning
**Subject:** no SEDA
**Date:** Sunday, March 23, 2025 3:33:58 PM

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**External Email:** Use caution with links and attachments

I am a Fresno resident and I oppose the SEDA project because of urban sprawl, pollution, and traffic problems. 1

John Minkler

--



**John Minkler**
Civic Education Center, Co-Founder/COO
700 Van Ness Ave. Suite 104, Fresno CA 93721
559-907-9534, johnminkler3@gmail.com
www.civicedcenter.org



**Youth Service Council motto:** ***We're creating our future!***

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## *John Minkler (MINKLER)*

*Response to MINKLER-1*

The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Kathy Moua
**To:** LongRangePlanning
**Subject:** Public Comment on the SEDA Environmental Review
**Date:** Monday, March 3, 2025 10:18:45 AM

**External Email:** Use caution with links and attachments

Hello,

I am writing to express serious concerns regarding the recent environmental review for the Southeast Development Area (SEDA). The City of Fresno claims that this project will reduce vehicle miles traveled (VMT) by 80% and be a model for sustainable, high-density development. However, there is no extraordinary evidence to support such an extraordinary claim. If SEDA is truly meant to serve the community, ***the burden of proof is on the developers to demonstrate—through transparent, independently verified data—how this project will avoid the well-documented consequences of unchecked urban sprawl.*** 1

SEDA threatens to:

- **Exacerbate Fresno's air quality crisis** by expanding development rather than investing in sustainable infill and transit solutions. The city's prior environmental review was already ruled inadequate, and yet the revised version still fails to address long-term pollution impacts. 2
- **Drain public resources** from existing neighborhoods that desperately need infrastructure improvements, diverting attention and funding from long-standing communities. 3
- **Displace working-class residents** by increasing the cost of living while failing to provide sufficient affordable housing. 4
- **Destroy valuable farmland** in a region known for agriculture, further eroding local food security and economic sustainability. 5

Fresno residents deserve development that prioritizes ***them***, not one that benefits developers and special interests at the expense of existing communities. If city officials truly believe in their claims, they must provide rigorous, independently verified evidence—not vague promises—before moving forward. Until then, this project appears to be yet another example of predatory expansion that benefits a select few while harming the people who call Southeast Fresno home. 6

I urge the City of Fresno to reconsider the approval of this project until real, transparent, and community-driven solutions are put in place. Please do not disregard the 400 pages of public feedback from 2023 and those that will be coming in.

Thank you,

Kathy Moua

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## *Kathy Moua (MOUA)*

*Response to MOUA-1*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to MOUA-2*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to MOUA-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to MOUA-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to MOUA-5*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to MOUA-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

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City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, California 93721

March 17, 2025

Subject: Comments regarding the SEDA EIR

I am a property owner in the SEPO area. I hereby respectfully offer the following comments in response to the latest EIR.

AGRICULTURAL RESOURCES:

Under Project Objectives, it is stated “Respect the major economic and cultural role of agriculture in the Valley”. The entire SEDA project shows a lack of respect for agriculture in the valley. Impact AG-1 states SEDA “would establish a buffer between the urban area of the plan and the surrounding agricultural land”. Obviously, this shows no respect for existing agricultural properties within the plan area. An example is turning existing agricultural land into Section 8 housing. Item 3.2-10 will create opportunities for small farms from 2-20 acres. What happens to the “small farms” that already exist. According to Policy HC-5-g basically states that owners of agricultural farms less than 50 acres are to be outlawed. There are also comments about “Community Farming “. This sounds like the beginning introduction into Communism. 1

LAND USE AND PLANNING:

Under Project Objectives the new plan will accommodate 40,000 to 45,000 new dwelling units. The original estimated annual population growth through 2050 was 1.5%. The revised population growth estimate is .18%. This would revise dwelling units needed to 5,300. There are currently 8,200 vacant “infill” areas available in the city limits which would accommodate 134,000 dwelling units. This vacant land would more than accommodate the actual growth beyond 2050. AND THE INFRASTRUCTURE ALREADY EXISTS. This means the SEDA plan is completely unnecessary. Your plan also includes town centers and commercial areas. I believe time, energy and finances should be focused on infill and actual revitalization of downtown Fresno. This would also decrease finances required for public services, fire, police etc. 2

TRANSPORTATION AND TRAFFIC:

Under Project Objectives, the plan would include major transit lines and ensure that schools and major town centers can be reached with or without a car. In a recent trip into Fresno, I encountered 4 fax buses on my travels, all empty and in service. Fresno residents drive cars to go places, period. Also stated, reduce energy consumption to help meet standards for greenhouse gas emissions and air pollution. The proposed plan will exceed SJVAPCD thresholds and air quality plans facing millions of dollars in fees. Can someone please explain why expressways, arterials, drives and collector streets are all called scenic once you have removed all the agricultural. Who pays for SR-180 ramps at DeWolf, Highland and McCall? 3

UTILITIES AND SERVICE SYSTEMS:

Under Project Description, Fiscal Responsibility is a major goal of the plan. Fiscal Responsibility would be accomplished by infill and fixing downtown not by the SEDA plan. The cost of infrastructure for SEDA would be massive. I don't see in the EIR any estimates regarding Fresno City funds, costs of developers and fees. Project Objectives states to provide self-financing for the development and ongoing maintenance of SEDA. Again, no estimates on how this will be accomplished. Are we in for another "High Speed Rail" that the costs by the time the plan is completed, if it ever is, have become unsustainable? Obviously, all properties will need to be connected to City systems, which may not be feasible to handle 45,000 new dwelling units. The only financial estimate I have heard is that existing farms would be forced to connect to water and sewer at perhaps $100,000 depending on how far we are set back from the street. Also required to cap our wells and remove septic systems. This cost is not feasible for most property owners. Also, the cost of watering an orchard, vegetables and lawns on a city water meter is unsustainable. Is the purpose of this plan to force all farmers to sell to developers for the city to provide 45,000 new unneeded dwelling units? I'm sure housing developers are chomping at the bit for this plan. I'm sure there are no donations being made to election campaigns. 4

In conclusion it should be very obvious that I am against this plan. We moved out here to enjoy the area and have our little farm. SEDA would put an end to our dreams. Based on what I have brought up above I firmly believe that SEDA is completely unnecessary. Thank you for taking the time to read and understand my comments.

Sincerely,

Larry Muzny
muznyfarm@gmail.com

## *Larry Muzny (MUZNY)*

*Response to MUZNY-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Further, please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to MUZNY-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to MUZNY-3*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to MUZNY-4*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

**From:** Ruben Nieves
**To:** LongRangePlanning
**Subject:** SEDA
**Date:** Wednesday, March 26, 2025 9:34:31 AM

**External Email:** Use caution with links and attachments

To whom it may concern:

I would like to add my comment here to the opposition being felt and expressed by residents throughout our city regarding Fresno's Southeast Development Area Specific Plan. I hope the city will not move forward with SEDA because of the concerns below.

The taxpayers of Fresno have not been informed how the infrastructure for this development will be paid for. It is not clear to us whether we will be stuck with the bill. If the city has a plan for how these significant infrastructure costs will be paid for, then the public should be made aware. If the city does not yet have a plan for how the costs will be paid for, then it would be irresponsible to move the plan forward.

So many of our neighborhoods need to have streets, sidewalks, storm drains, and lighting repaired. In the heart of the Tower District, where I am a homeowner, some streets were repaved in the past two years (such as Lucerne and Hedges), while others that were in equally poor condition (such as Echo and Floradora) were not repaved, and they remain unrepaired today. 1

Throughout my neighborhood, sidewalks are cracked, unlevel, and even crumbling in spots. Some blocks do not have sidewalks even though sidewalks exist on the blocks on either side.

And I know that other neighborhoods in Fresno have even greater needs of infrastructure repair and updating than my own.

With a shortfall of $20 million in the city budget, it is difficult to see how the city will be able to catch up on the needed repairs and updates. I am opposed to development plans that may very well exacerbate this problem. We can't afford for new development to suck taxpayer money away from existing Fresno neighborhoods. And I do not like the idea of taxpayers being stuck with a SEDA development bill in the near or long term.

I urge the city to say NO to SEDA.

Thank you for your consideration,

--Ruben Nieves

Ruben Nieves
635 E. Floradora Avenue
Fresno, CA 93728

rnieves6@gmail.com
c-559/360-1667

## *Ruben Nieves (NIEVES)*

*Response to NIEVES-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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| | |
|---|---|
| **From:** | NATALIE ORTIZ |
| **To:** | LongRangePlanning |
| **Cc:** | Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer; Jerry Dyer |
| **Subject:** | Public Comment - OPPOSE SEDA PEIR |
| **Date:** | Thursday, March 20, 2025 8:31:53 PM |
| **Attachments:** | Oppose Redraft of PEIR 03.10.2025.pdf |

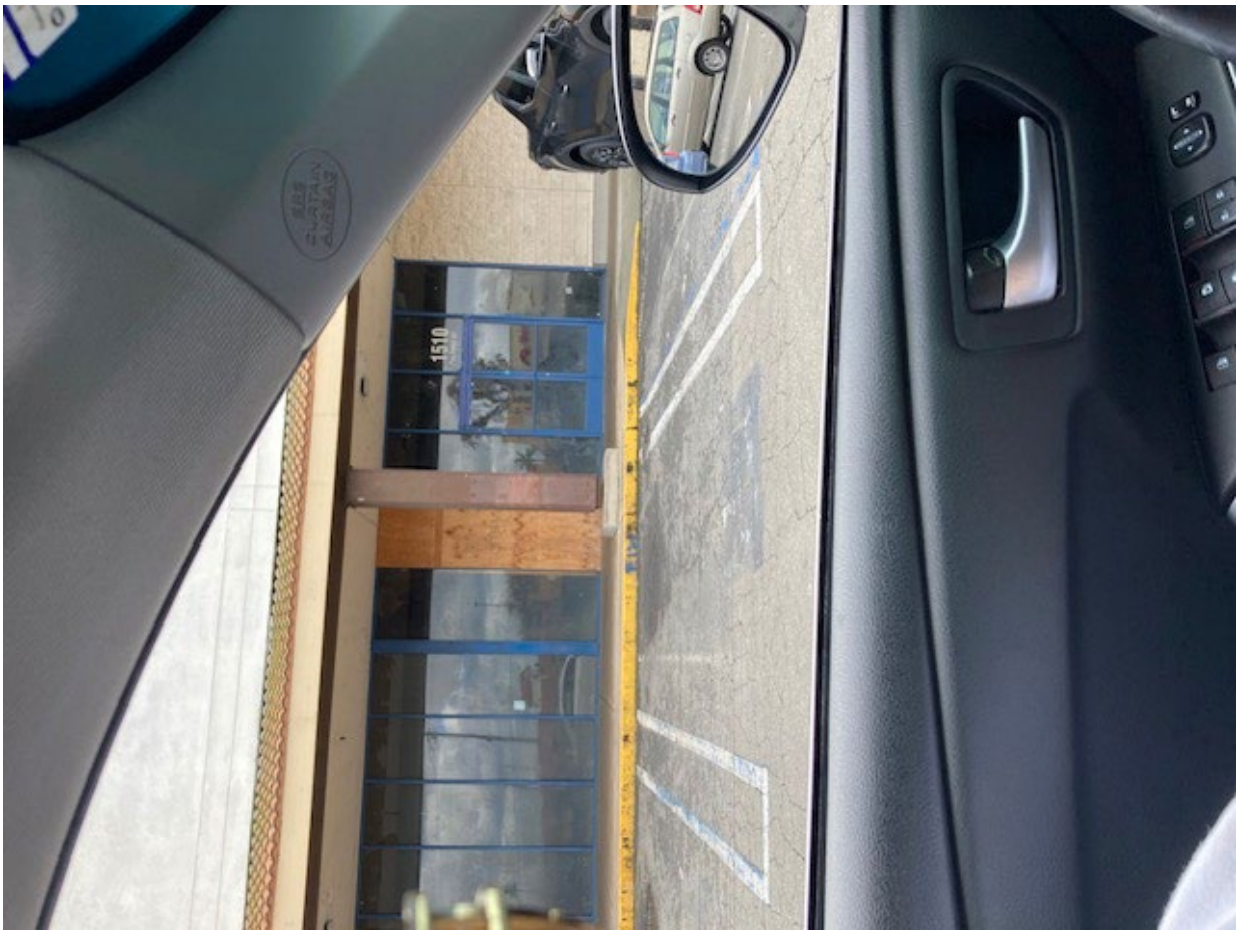
External Email: Use caution with links and attachments

Attached please find our opposition letter dated 3/19/25 to the recirculated PEIR dated 2/7/25. I'm requesting that the city clerk please forward to the appropriate councilman email address for District 5 since that is not information I have due to special election. 1

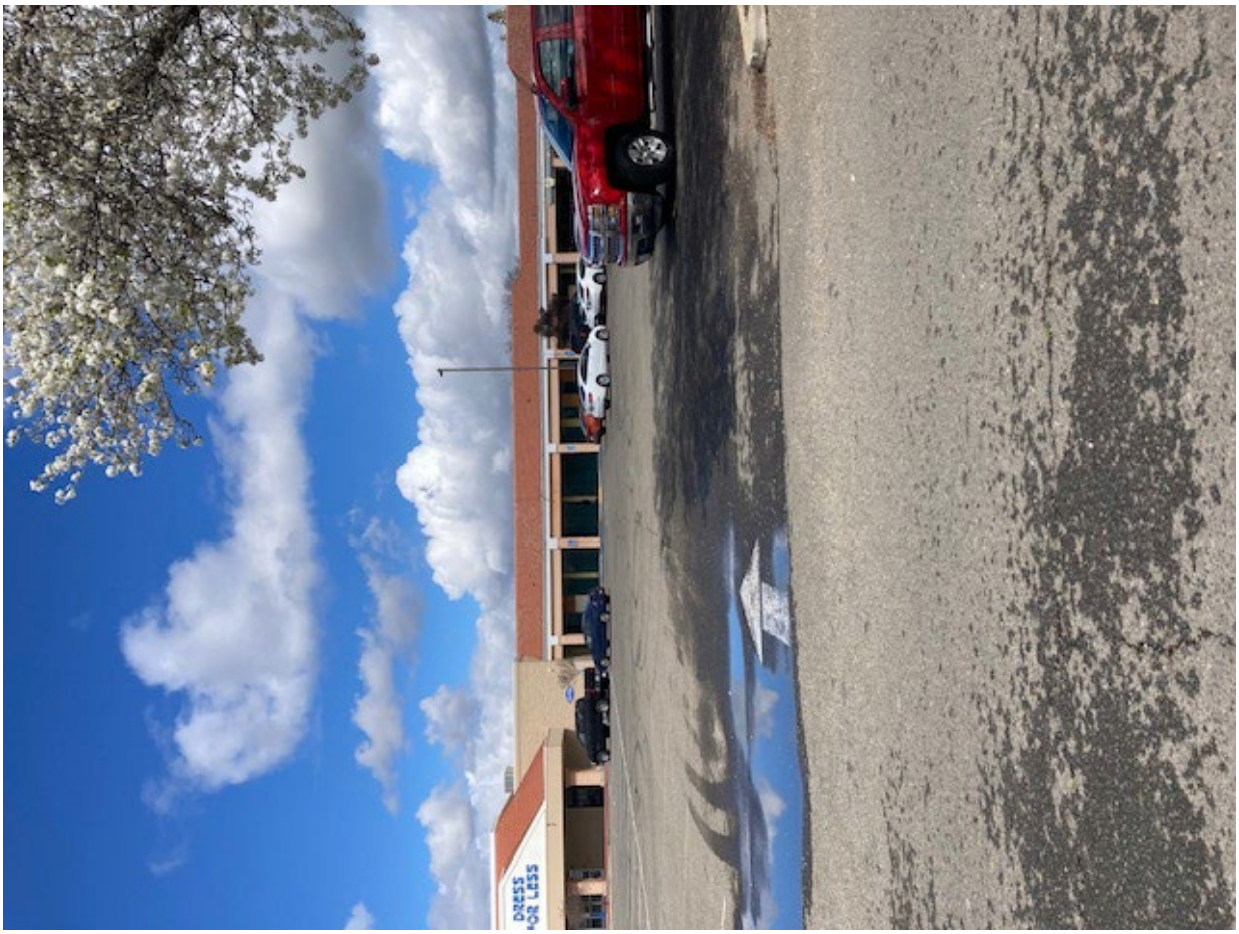
Thank you.

Natalie Ortiz




SRS
CURTAIN
AIRBAG
1510




DRESS
FOR LESS






Pharmacy



Sent from my iPhone

March 19, 2025

longrangeplanning@fresno.gov

RE: **OPPOSE** - SEDA PROPOSED EIR AND OPPOSE SEDA DEVELOPMENT

To Whom It May Concern:

Please accept this letter as our required public comment, specifically our opposition to the recirculated PEIR on February 7, 2025. Please know that the reference numbers are set forth in this opposition as you require (however I do not see that stated anywhere, we were told put reference number or they won't read it) … continue reading. Please be aware pursuant to Exhibit 2-2, Land Use Map, our property is located under "Flexible Research & Development" (FR&D). FR&D states in the PEIR:

> "*Flexible Research and Development districts would be primarily located west of the Briggs Canal and/or south of Jensen Avenue and are intended for uses such as research and development, light manufacturing, product testing centers, and office development. The area may also include compatible commercial uses such as restaurants, coffee shops, cafés, printing and publishing, dry cleaners, and other supporting businesses. Access to regional transportation corridors (both road and rail) is critical.* ***Residential uses are not allowed in Flexible Research and Development areas.***"

2

What this means to our household is that eminent domain will be used against us in order for the City to move forward with SEDA. The last sentence reads residential is not allowed in these areas. Exactly what was done to homeowners in the path of the High Speed Rail, and look at them today, no land acquired yet for the rail, not one track laid, not one train running, not one person able to use the HSR and its currently under investigation as to where all the money went and way over budget that when and if it will be completed in our lifetime is the question of the day. The Federal agency, DOGE, is currently investigating HSR. What kind of research and development is being built, the PEIR fails to state but it shows this specific section of the area will be something similar to what we have near Food Max (Clovis & Kings Canyon). Take a look at the pictures I have attached as to that development. This is what will occur in SEDA.

**Finding #3 "SEGA contributes to the decline of Fresno farmland." (City of Fresno Minutes 2/10/11)**

My first concern is that our local government, the City, commends itself on transparency, however, to locate the PEIR on its website is not the most obvious and direct access. That in and of itself is problematic and deceptive because as you know, not all of society is tech savvy. To locate, you click on the City's website, then Planning and Development, (scroll all the way down) click on Long Range Planning (why the community would know to go there is beyond me), then Plans and Projects Under Review, then find Southeast Development Specific Plan (the document that Asadoorian stated we could not comment upon), then locate and click on Executive Summary which is a separate document that discusses the changes of the new recirculated PEIR, and then scroll a few links down then click on Recirculated EIR - February 2025. This is ridiculous!! The City is fully capable of having their IT staff place a link or a scrolling marquee on its homepage with a link that auto connects/opens to the Executive Summary and the PEIR. This attempt to make things difficult for the reader, adds to gamesmanship of today's politician and government which leads the public to frustration and distrust all done in hopes that the public abandon the comment period; this tactic is no surprise to the vast majority of us.

3

In addition, the PEIR is over 800 pages, 800 pages! This is so overly burdensome and overly exaggerated (for comparison, the Fresno County Recommended 2024-25 posted online is 390 pages for 15 cities (PDF pages)). Furthermore, do you think it's asking too much to again have your IT staff make this document so that the reader has the ability to click on the page number in the table of

contents and be auto routed to that page, automatically. I believe the taxpayers and members of Fresno deserve that type of efficiency from our government that we the people elected. Don't play hide the ball!

Please be aware that I spoke to Ms. Asadoorian by telephone and she confirmed that the Specific Plan is a document that will be used by the City to support their PEIR; however, the public is not allowed to comment on the Specific Plan, only the PEIR. I find this disingenuous. If the City is being allowed to submit the "specific plan" in support of their PEIR, the public should be allowed to comment upon in opposition to the PEIR. What law states we are not allowed to comment? 3 CONT

PUBLIC RECORDS ACT REQUESTS

We requested information in our previous opposition to the City's EIR back in July 2023. The City failed to respond to our requests for information. It's our understanding it wasn't read because the city needed a do-over, how convenient. In preparing for our opposition to the February 2025 PEIR, we submitted PRA requests through the online portal. As of this date the City has requested an extension of time to respond to my requests: R074432-030725 extension requested to March 25th; R074041-022725 extension requested to March 24th; and R073948-02265 extension requested to March 24th. I find it disingenuous and intentional that the City is requesting an extension to a date of either on or after the public comment period for the PEIR. We did notify counsel's office of this and nothing that we requested is overly burdensome on the City, it is all information that the City does have on-hand. The City has not provided a good faith effort in an attempt to provide us with this information as a member of the public; they unilaterally picked a date that was conveniently on or after the City's public comment deadline. My requests were all submitted well in advance to the public comment period. This in turn led me to submit a PRA (R074705-031225 inquiring about the City's remote/telework policy for City staff and employees). 4

In addition, I have submitted a PRA (R075085-031725) to the City/lead agency regarding eminent domain and the process and procedures. As you should know from our previous comments to the last EIR, the City staff at one of their public meetings stated that eminent domain would not be used but further failed to respond as to what would happen if we do not comply. This is the type of full transparency the public requests of you; do not hide behind your veil of ignorance and not fully discuss the ramifications of SEDA. We the people want to hear how you will abuse your power and take this land unjustifiably under the guise of a housing crisis. The remedy to your man-made crisis: **tell your developer donors to lower the pricing of the current homes developed, making homes more affordable.** zillow.com states average rent is $1,600, how about finding a way to have property owners lower their rent price so people can afford to rent. There are other ways to go about this other than allowing government to take our Prime, Unique and Important ag land.

BACKGROUND/HISTORY

In response to our PRA request #R073922-022625, the SEDA Specific Plan (Page 90 of the Plan) states, under management, **neighborhood gardens can be owned by a city, county**, … non-profit etc. This clearly confirms it is a land grab by our government, to take from the current property owners and line the pockets of government and developers. It further states the City encourages neighborhood organizations to seek funding for the neighborhood garden. If the people cannot find housing on their own and require assistance from government (to find and pay), how will they find funding for a neighborhood garden? But this does say "organizations" not the community members. Who will be the ones to gain financially in these transactions? There is no actual confirmation that these so-called gardens will actually occur. The Plan the City attached to this 2010 item produced, in response to my PRA ending in 022625, paints the picture of agriculture, all in an effort to convince and fool the public and readers, the Prime Ag land the government is taking, is not lost or forgotten. What I find once again disingenuous is the City responded to this PRA wherein I requested documents from 2006-2008, however, we received their agenda item from 2010 and attachments thereto but the City also included the SEDA Specific Plan in said response (which said Plan fails to reflect a date) and that Plan was not the plan utilized back in 2010 or 2006-08 for that matter, it wasn't changed from SEGA to SEDA till when 2014? The City offers no explanation in attaching the Specific Plan, since it lacks a date and seems to be the same Plan that is currently posted on your website but without a date 5

it cannot be verified, we would have to guess where it falls in response to my PRA; is this the Plan that would have been utilized, referred to, relied upon back in 2010, 06-08? The City is merely sending documents to see what sticks in hopes of papering us to death and shut us up.

Furthermore, the Minutes I received, pursuant to the above-mentioned PRA request, dated Feb. 10, 2011, and years 2007, 2008 did not include their respective agenda items. Maybe the City Councilmembers should review the 2011 Minutes to see the chaos, lack of transparency, and problems that arose during that city council meeting. "President Brand introduced the item and clarified the intent of this action was not to kill SEGA." Note: We the property owners say it should have been, then and now. But, the fact that he opens with that statement should give us all pause and ask why would he open with a statement as such … because there was and is reason to kill SEGA. President Brand refers to a fiscal crisis back then and like today, under a new federal administration, we are currently in a fiscal crisis: Federal funding is being frozen for **waste and fraud.** 5 CONT

Councilmember Borgeas then stated during this hearing in 2011 …. "Fresno cannot be afraid to admit when it makes mistakes." We say and we believe have shown that SEGA/SEDA is a mistake now and then. On said minutes: **Finding #3 "SEGA contributes to the decline of Fresno farmland."** True then and true today. That 2011 statement is confirmed in 2025 pursuant to the 2/7/25 PEIR (see Page 168, 169, 173 and throughout the PEIR. Per the 2/10/11 Minutes, President Brand states that SEGA was attractive looking at it from a distance. However, it seems from the minutes, as they took a deeper dive it became a totally different story. **Finding #4** population projections used to justify SEGA are inconsistent with growth trends. Here we are today, 14 years later after the 2011 Minute order, and not much has been learned, gained, remedied, rectified, clarified, changed, or made obvious and transparent to the public or property owners as to why SEDA should move forward and more importantly at this time, we believe this further shows us today that SEDA should be killed (Brand's word used). Basis for SEDA, original estimate annual population growth through 2050 1.5%; revised population growth estimate .18%; bigger than necessary for population growth 8.3X; 44,000 units planned; units actually needed 5,300; SEDA infrastructure cost estimate $0; potential infrastructure cost: $1,000,000,000+; City's budget deficit 2025 $20,000,000; basis for infill city limits 8,200 vacant acres=134,000 units; how much sense does SEDA make: ZERO (0). 6

Most concerning from this read and worthy of further investigation today is Westernlund's statement that there was a whole other side to this story and a number of things he wanted to speak to. As a tax paying citizen, registered voter, I'm perplexed as to why he would not speak candidly, openly, and honestly in said hearing, public forum, on that date. What was holding him back? Who do you represent in this capacity? If there was another side to the story, it should have been told, needs to be told, and yet no one stood up and thought it best for the We the People to call him out requesting that he speak now or the hearing cannot move forward or the development cannot move forward, that's what you are elected to speak on behalf of the people.

Page 157-44 of the document (received per PRA request) Westerlund states it was getting convoluted and out of control. Jurisdiction was a concern at that time, and it was further stated he had an issue with procedure and stated "stinks big time." Brand said it was getting personal. Clearly, throughout the Minutes we see some major concerns here; has anyone completed an in-depth investigation regarding the initiation, involvement of the persons, and the development itself; or, addressed these past issues or will the City attempt to have this skirt by, sweep it under the rug, in hopes nothing is revealed. Page 157-44, Brand states he learned the City spends way too much money on consultants. 7

It's now 2025, we have the same questions and concerns as reflected in the 2011 Minutes; the PEIR fails to fully and completely mitigate the issues raised in this current PEIR; and the past concerns of council. For reasons stated above, we oppose the PEIR dated 2/7/25 and believe we should look further into the concerns discussed in the 2011 hearing and if those concerns were in fact addressed, with or without public involvement; we believe it should be discussed in a public forum not private closed session. We further would like to see in a public forum, in an effort to be fully transparent, those donor contributions to the elected officials of that time as well as currently seated officials (e.g. Statement of Economic Interests - Form 700, Gifts & Gratuities or any other forms required by the FPPC).

We submitted PRA #R074526-030925 to the City requesting the names of persons or organizations the Planning Department, City Manager, Districts 1-7 and Mayors office have met with to discuss SEDA from 2022 to present. Of course the City requests an extension to March 31 in which to respond. 7 CONT

PAGE ES-1 (Executive Summary):

This document and lead agency states that the purpose of the subject PEIR is to inform of potential environmental effects as a result of implementing the SEDA project. It is further stated that this project is described as an "**acceleration of housing production**." The CITY is requesting to speed up producing homes. They base this on meeting the need of "diverse housing types" and "affordability levels." All to be completed by the year 2050. Has the revitalization of Downtown Fresno been completed? Have the vacant buildings in that location been restored, refurbished. Has new life as set forth in history when Downtown Fresno revitalization was introduced to the public been established? The honest answer is **NO!** The City web page states Downtown is following in the footsteps of Oakland and Sacramento. That more than 600 apartments have been recently added and the Mayor's goal is to grow the neighborhood from 3,000 to 10,000 residents. How about the high speed rail, yet been completed? When the rail was presented by a group of past elected officials it was posed as prosperous (to who that's unknown), and much needed; past elected officials believed a bullet-train from San Francisco to Los Angeles was needed (for who that is the unknown). Has the rail project been completed? The honest answer is **NO!** Look where we are at today in both projects, failure to complete (how many years later); failure to pay and/or have the money, and look at the environment. Just like DOGE is involved in looking into the high speed rail maybe we need to have them look into this land grab and how the City is spending our money and who is benefiting from this money. Maybe it's time the City of Fresno's waste and fraud be exposed. This PEIR of course states all in the name of being fiscally responsible, social equity, environmentally sustainable. I'm sure that is what was said for Downtown and the High Speed Rail. Downtown is littered with homelessness, businesses unable to stay afloat due to the increasing costs in rent, utilities, food, wages, and the inability to keep downtown Fresno safe, at its closest location to law enforcement. What this PEIR is introducing us to is Fresno 2.0. You've heard that term used by Gov. Newsom, after Southern Cal was devastated by wildfires (closest cities to the ocean); how interesting our government is now referring So Cal as a Smart City, to rebuild LA 2.0. Same thing with Lahaina (Maui wildfire), their government wanted a Smart City too. 8

The Fresno Housing Authority "manages diverse properties and programs;" they are designed and designated for "under-served populations, including farm laborers, migrant workers, seniors and those in need of support." On their website I find over 70 properties in Fresno within a 35 mile radius. In 2024 and 2025, Fresno County developed new "affordable" housing such as Avalon Commons, The Arthur, Promesa Commons, Sarah's Court apartments at Fancher Creek and Crossroads Village.

Population continues to be inconsistent as under this new current Federal administration, with the deportation of illegal immigrants, their need for housing will substantially decrease. In addition, the most cost effective remedy is not develop, develop, develop but how about pursuing these developers to lower the cost of their homes built to make them more affordable.

**For this reason and many others as stated below is why we Southeast Property Owners strongly oppose the SEDA development and the recirculated Proposed EIR.**

In addition, we have a mental health crisis, homeless problem involving substance abuse, mental health,; an illegal immigration problem, economy problem (groceries-eggs are $8 a dozen, rent, interest rates, tariffs), and the federal government is not inclined to continue writing checks. The lead agency states a population however how did they come up with the numbers on the population? You can no longer count those here illegally and therefore numbers must be adjusted. Who was included in your count, must be answered? 9

GV Wire article dated 12/17/24 by Edward Smith states: "A proposal would put 400-single family homes on the property occupied by the massive former IRS processing center in southeast Fresno." This is not about housing, this is about a land grab to line the pockets of politicians and developers/ donors. 10

PAGE ES-2&3:

**The lead agency states this project would result in significant and unavoidable impacts.** This right here should be enough and tells us all we need to know, but let's continue. 11

PAGE ES-4/AES-3 and Reference 3.1:

The lead agency has confirmed this project will substantially degrade the visual character or quality of public views of both site and surroundings. Of course it will. As stated in 2011 and still true today, SEGA is a decline of Fresno farmland. The impact physically to land, air, aesthetics, birds, coyotes, will be obsolete/extinct as we are pushing the city further and deeper into rural territory that was not meant or intended for a city life or Smart City. The effects would be changing the view of green landscape, fruit trees, vineyards, to concrete buildings, cell towers, cars, lights, bus and change the sounds of birds, quiet, little to no traffic in exchange for cars, power equipment, talking, music; pollution from those vehicles and buildings. This affects not just a few but it affects 9,000 acres. Adding a grassy knoll does not relieve these problems. You will still see those tall cement buildings, businesses and housing units, vehicles, lights whether it's a public view (from the grassy knoll) or private view. In the cities, you hear or read about in the news sightings of coyotes, duh of course, you moved into their territory, whether coyotes, toads, skunks, all those animals don't just up and walk to Squaw Valley to relocate, they will either die because we have removed their source of feeding or stay. Go outside in the morning, we hear birds singing; go out in the evening, you hear the toads, crickets. Under SEDA all will be lost and it will be traffic, smog, cell towers, homeless encampments. 12

The agency confirms there are no feasible mitigation measures available to mitigate the impact. **For the reasons we stated, we oppose**.

AES-4 Light & Glare:

Creates new source of light/glare adversely affecting day/night views.

The lead agency has confirmed this project will substantially degrade the visual character or quality of public views of both site and surroundings. As stated in 2011 and still true today, SEGA (SEDA) is a decline of Fresno farmland. The impact physically to land, air, aesthetics, birds, coyotes, will be obsolete or extinct as we are pushing the city further and deeper into rural territory that was not meant intended for a city, a Smart City. The effects would be changing the view of green landscape, fruit trees, vineyards, to concrete buildings, cars, lights, and change the sounds of birds, quiet, little to no traffic to cars, equipment, talking, music; pollution from those vehicles and buildings. This affects not just a few but it affects the 9,000 acres. Adding a grassy knoll does not relieve these problems. You will still see those tall cement buildings, businesses and housing units, vehicles, lights whether it's a public view (from the grassy knoll) or private view. In the cities, you hear or read about in the news sightings of coyotes, well yes you moved into rural territory, coyotes, toads, skunks, all those animals don't just up and walk to Squaw Valley immediately, they will either die because we have removed their source of feeding or stay. Go outside in the morning, we hear birds singing; go out in the evening, you hear the toads, crickets. In essence you are building a Smart City, just like your smart phone, laptop, the lighting, the cell towers all for public and private consumption. 13

The CITY has confirmed impacts remain significant and unavoidable. **For the reasons stated, we oppose.**

CUMULATIVE LIGHTS/GLARE:

I refer you to my statements made under ES-4/AES-3 and 4. I reiterate same here. The impacts are significant and unavoidable. **For this and all the reasons stated, we oppose.** 14

PAGE ES-4, Impact AG-1 - Reference 3.2:

As we all know, the SEDA project will be a catastrophic loss of 9,000 acres of what we the property owners have stated from the beginning, Prime Farmland, and what the **PEIR now confirms as (1) PRIME, (2) IMPORTANT STATE; (3) IMPORTANT LOCAL AND (4) UNIQUE FARMLANDS. Of that 9,000 acres, <u>the PEIR classifies 6,741 total acres as designated Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, AND Unique Farmland which is "scattered throughout the Plan Area</u>."** Read that again, scattered throughout the Plan Area, scattered throughout, not a block, not a street.

Again, we are not talking one block, one street, one acre; the CITY is requesting to destroy, demolish more than half of what is designated as PRIME, OF GREAT IMPORTANCE TO THE STATE AND LOCALLY, AND UNIQUE FARMLAND. We argue that all 9,000 acres are Prime , Unique and of Importance to the State and Locally. At a time when groceries are at their highest in the store, you want to build units so a household can "hopefully" create and sustain a garden to feed "their household" but yet you are destroying farmland that feeds the state, our County and quite frankly my/ our households. They won't even be the deed holders of this so-called housing, government and developers will be the ones to own the land, buildings, housing units. Our home sits next to the Briggs canal which is rare and unique in and of itself; the water flowing into that irrigation canal is from the Kings River. Our property along with many of my neighbors, we grow our own food, have our own farm animals and equipment and yet you want us to allow the government to take what we have paid for-worked for, and live off of, so that the government can create a Smart City/Fresno 2.0 to benefit and line their pockets under the guise of "hopefully" teaching people to have community gardens; the people work the land; the government or developers own the land, that's your Smart City aka Fresno 2.0. 15

The PEIR states that loss of farmland still occurs with this Plan, the impact is significant and unavoidable **<u>EVEN WITH IMPLEMENTATION OF AVAILABLE MITIGATION</u>**. As stated back in 2011, SEGA is the decline of Fresno's Farmland. Our communities depend on Ag; No Farmers, No Food!

**For all the reasons stated in this letter and my neighbors' letters, we strongly oppose the PEIR as well as SEDA.**

PAGE ES-5/AG-2:

There are significant impacts on existing Williamson Act land. T**<u>his PEIR states is unavoidable and no mitigation measures available.</u>** The California Land Conservation Act of 1965 helps preserve <u>agricultural land and open space.</u> It discourages premature conversion to urban uses; it further protects open space; and is supposed to keep land values relatively stable. By doing this, the value of our homes our properties declines substantially. There are supposed to be land use restrictions imposed upon the owners; however, what the City is doing is changing restrictions, better yet protections to property owners, to again line their pockets, the pockets of the developers as <u>government deems appropriate</u>. The California Department of Conservation's homepage states in part: 16

> …post World War II period. During that time California's Agricultural and open space lands began to face dramatically increasing conversion pressures from population growth, new commercial enterprises, and rising property taxes. "Valuable farmland began disappearing at an alarming rate as conversion to urban uses became the only financially viable alternative of many landowners."

The Williamson Act Program has remained stable and effective as a mechanism for protecting agricultural and open space land from premature and unnecessary urban development. 16 CONT

**For all the reasons stated thus far, we oppose the PEIR and SEDA.**

Impact AIR-1 - Reference 3.3:

Potential (which means to become or develop in the future) to exceed the San Joaquin Valley Air Pollution thresholds and not consistent with existing Air Quality Plans. To date, we are told when to burn our fireplace, what type of fireplace, when to burn green waste and yet here the City knowingly wants to implement a project and plan that will exceed thresholds and goes against the standards imposed upon the people of this County. The PEIR states that **"due to the magnitude and intensity of development" it is unavoidable and a significant impact.** 17

AIR-2:

Projected Cumulative emissions associated with future development projects exceeds Valley Air thresholds and is a significant and unavoidable impact. 18

AIR-3 Sensitive Receptors:

The lead agency can't even respond, foresee, forecast this section. They state, "without such information" "it is not possible to conclude" and it is significant and an unavoidable impact. 19

**For all the reasons stated, and their failure to provide a detailed or any response to include a cost, we oppose the PEIR AND SEDA.**

Cumulative Air Quality:

"Not enough information to quantify" "future development projects may still exceed Valley Air District thresholds." This is what this PEIR states. It further states that due to the size of the project no significant mitigation available to reduce the cumulative impacts to air quality. It remains significant and unavoidable.

The impacts during and post plan development will be great; again, the impacts will be great. You are adding to the vehicular traffic, the people, the businesses, the smog, the cell towers, the power grid. People will be traveling not only for personal reasons but business. Of course there is a significant impact and it will not be avoided. 20

**For all these reasons, we oppose the PEIR and SEDA**.

References 3.4 - 3.8:

GHG-1:

Implementation of project contributes to global climate change through direct emissions of greenhouse gases not only from sources generated by project, indirectly, thru off-site energy. The project increases the population and employment which further contributes to increase in wastewater, **water demand,** and vehicle trips. Energy is increased due to the magnitude of new buildings constructed. **The Environmental impact of the project related to GHG emissions is significant. "There is no mitigation feasible to reduce GHG emissions."** The impacts of this project are significant and unavoidable. 21

The Minutes dated 2/10/11, provided to me per a PRA request, states in Finding #2: "(Committee finds the SEGA region is known to have insufficient water, and cost estimates on proposed water infrastructure are extraordinarily high)". This remains true to date. All the properties that would 22

remain have been informed by the City that we would be required to hook up to their water and sewer lines **at our own expense.** Yet the City has not provided a confirmed cost that would be assessed to property owners and stated that loans could be taken out with the City (now the City is a bank, lender) which would obviously line their pockets; and if property owners fail to be able to pay those loans a lien would be assessed on their home/property. We should not have to take a loan out for thousands, or have a lien placed on our property. What about these property owners who are of retirement years; they cannot just go back to work because of a land grab by the City? In addition, our home sits approximately 200 feet from the road, the cost would be beyond the minimum. Those of us not in prime health would be forced to choose and that is not something that should be posed to us by our government. 22 CONT

**For all these reasons, we oppose the PEIR and SEDA.**

Cumulative GHG ES-7: 23

I reiterate my statements here as set forth in paragraph GHG-1. It is reflected significant and unavoidable impacts.

**For all these reasons, we oppose the PEIR and SEDA.**

NOI-1/Reference 3.13:

The City/lead agency is unable to quantify the construction noise impacts. That's because it is so extreme during project development and post. During, between several equipment and projects working in tandem vehicles added to the road, people, its beyond what we can imagine, quantify or explain As stated in the PEIR, the impacts are significant and unavoidable. 24

Cumulative Noise:

Details of individual development projects are currently **unknown.** It is not possible to quantify future cumulative construction noise impacts if multiple developments construct simultaneously creating a cumulative noise impact. Because they can occur simultaneously and noise can occur for prolonged periods of time, cumulative construction and noise impacts are possible and are significant and unavoidable. 25

**For all the reasons stated throughout this opposition, we oppose the PEIR and SEDA.**

Reference 3.13:

How is this fiscally responsible? There is no projected cost that's been provided for SEDA construction nor monies allocated that we are aware of. We requested information, PRA #R073948-022625, asking for the City to identify by name/business and address all federal, state and local funding sources, grants, monies received by the City and requested by the City that will be applied to, and used for SEDA, include dates and amounts received and requested. You know the response we received from the City, they need an extension to March 24th (the deadline for public comment). This project has been in existence for over a decade, decade, and either they: (1) are lying; (2) playing hide the ball; (3) lack full transparency; or (4) abuse of power. Maybe all of the above. This is evidence of the type of answers we the property owners receive from the City on a consistent basis as it relates to SEDA. The lead agency/city cannot confirm to current southeast property owners the cost to connect to the city's water/sewer, which they state will be our financial responsibility to bear; they cannot confirm how much money a project of this size will cost the taxpayers, City and County citizens. This is a problem; maybe this is what the past council member meant by stinks big time? As done with the high speed rail any cost projection is a guess and can increase substantially after the project commences and you will have destroyed over 9,000 acres of farmland for what, a Smart City, you can revitalize downtown Fresno and have your Smart City, it's already there, vacant. Buildings exist downtown, drive throughout this City, you will find abandon buildings; and can be reconstructed by your developers for a confirmed cost. Are you receiving federal funding? If so, maybe we should get DOGE involved to see how fiscally responsible and cost effective this PEIR and 26

project Plan really is; or, maybe they will uncover waste and fraud at the expense of taxpayers and on this project, at the expense of the property owners.

How is this social equity? You are removing elders, our retired community, the vast majority of property owners in SEDA plan are retired, or farmers, and existing long-time property owners and families whose lives are according to their land, we grow our own food, have our own farm animals; you are forcing us from our PRIME, UNIQUE, AND GREATLY IMPORTANT TO THE STATE AND LOCAL FARMLAND, to create Fresno 2.0/Smart City under the guise of "affordable housing."

I have attached to this letter pictures of how fiscally responsible, socially equitable, and environmentally sustainable the City of Fresno, County of Fresno is currently. (See attached pictures). There is an existing development located on the northeast corner of "Kings Canyon" and Clovis Avenue, the City just added a Ross in that development, the old OSH building (because a second Ross store was needed—there is a Ross located on Kings Canyon just 2.1 miles from the new Ross, stupid right); because Southeast Property owners only shop at Ross. You have vacant buildings located within this same complex, a Smoke Shop (see attached), empty buildings, which is all a place for the homeless community and thugs to hangout, start fires to keep warm, drug interactions. SEDA monies can go towards the homeless, mental health, the west side existing property owners and your Downtown Revitalization. 26 CONT

Between the City and County, there have been new developments of new affordable housing. Look at the canal that runs along McKinley from Clovis Avenue to the 168 freeway, look at the homeless that camp there. If you can't take care of that existing problem, how will you take on the homeless encampments in this new development, because if you build it they will come. This is the proof of what happens to the City of Fresno, they become a part of the have nots, they no longer receive the help that they need. The money for SEDA can be given to the homeless and provide the assistance they need. They don't need a Smart City.

Hydrology & Water Quality - 3.10

> The proposed project would have significant impact on the environment if the proposed project would:
>
> a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
> b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (PDF page 453)
>
> c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
> (i) Result in substantial erosion or siltation on- or off-site;
> (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
> (iii) 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;
> or
> (iv) Impede or redirect flood flows.
> (d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
> (e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

27

The above language from the PEIR I believe shows we will be violating the water quality standards and waste discharge; we will substantially decrease groundwater supplies or interfere; alter the

existing drainage; result in erosion … nothing good will come from SEDA. Now is not the time. How much more money should you throw out the window? 27 CONT

Impact HYD-2 Groundwater Supply & Recharge:

The PEIR states:

> **The proposed project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.**

It further states that groundwater alone will not be sufficient to meet future City demands, including those for SEDA. (PDF Page 492)

If you recall, the City/lead agency states this is to be fiscally responsible, environmental sustainability and socially equitable. Approving this to move forward fails us in all capacities including the people outside of SEDA where water is an issue in general such as Cantua Creek, El Porvenir. There are outside areas not only within the City of Fresno but Fresno County who need dire attention and have government focused on their water issues; not government creating new water issues for the sake of Fresno 2.0 Smart city.

The Business Journal 12/10/24: It's Horrible: Fresno's Record-Breaking Settlement Highlights Region's Larger Drinking Water Problem. This article states that a review of documents and interviews of key officials uncovers a decades-long environmental crisis enabled by both corporate greed and bureaucratic neglect. It goes on to state that a darker truth emerges—the money will vanish in less than a decade, covering filtration costs for roughly eight years, according to interviews with City officials Georgeanne White and Brock Buche. Once the settlement funds run dry, Fresno residents will be left to shoulder any remaining pollution cleanup, at a cost of millions each year. PDF Page 492 of the PEIR states, "impacts to water supply and demand would be considered at the time of annexation for each specific parcel." How stupid and reckless, environmentally and fiscally, to wait until the time of to determine the impacts to water supply and demand. Now we see how the high speed rail is in its current situation; let's wait until we are knee deep in this, people have lost their homes and property, with no recourse. Is this what we teach our children, don't think about the consequences now, just do it and we will deal with it later? We are doomed if this is the mentality of our government. 28

Cumulative significance before mitigation is significant impact, after mitigation less than significant with mitigation incorporated. The cost associated to mitigate will be astronomical and our outer communities will pay the price and be the ones to sacrifice once again. Fix other problems before creating new ones! This is fiscally, environmentally, and socially irreparable; ultimate damage is TBD and you have no right and its the least of our people who will be the sacrificial lambs. In closing, the lead agency is not accelerating housing, it is accelerating land grabs. You are to serve the interests of your constituents not your donors.

3.19 Wildfire

There is no longer a wildfire season, wildfires occur all year. This development in no way reduces wildfire risks, it enhances the risk as well as puts a further strain on already limited resources available to other communities during hard economic times. Wildfires in Maui, Southern California, Moss Landing battery facility. 29

Stanford University, Stanford Woods Institute for the Environment article: Wildfire News Releases Social and Economic Disparities Impact Wildfire Protection. This article states that low income communities in California are at a greater risk of suffering the consequences because they are less protected. Financial support, educational programs, wildfire preparedness?

Reference 4.3 - Mandatory Findings

When the farms are gone, remember, it's forever!

30

**For all the reasons stated in this letter, the attachments, and the other southeast property owners' letters, we strongly oppose the PEIR as well as SEDA.**

Sincerely,

*David Ortiz & Natalie Ortiz*

*Elijah Ortiz*

Attachments (Pictures) to Ortiz Opposition Letter

Cc: Annalisa Perea, District 1 - Annalisa.perea@fresno.gov
Mike Karbassi, District 2 - mike.karbassi@fresno.gov
Miguel Ariaas, District 3 - Miguel.arias@fresno.gov
Tyler Maxell, District 4 - Tyler.maxwell@fresno.gov
District 5 - TBD Due to Special Election sent to City Clerk
Nick Richardson, District 6 - nick.richardson@fresno.gov
Nelson Esparza, District 7 - nelson.esparza@fresno.gov
Todd Stermer, City Clerk - todd.stermer@fresno.gov

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## *David, Natalie, and Elijah Ortiz (First Letter) (ORTIZ 1)*

*Response to ORTIZ 1-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to ORTIZ 1-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

In addition, there is no requirement to provide "reference numbers" in comment letters responding to the Recirculated Draft PEIR. CEQA Guidelines Section 15088(a) provides:

> The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments.

Therefore, this Final PEIR provides written responses to any comments received during the public comment period that identify significant environmental issues. No further response is required.

*Response to ORTIZ 1-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further analysis is required.

*Response to ORTIZ 1-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to ORTIZ 1-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to ORTIZ 1-6*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to ORTIZ 1-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to ORTIZ 1-11*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-12*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-13*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-14*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-15*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-16*

The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-17*

The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-18*

The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-19*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-20*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-21*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5$^{th}$ District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25 year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan,

including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs.

As such, while the previously circulated Draft PEIR determined that impacts related to GHG emissions would be significant and unavoidable when evaluated against the City's now decertified GHG Plan Update, the Recirculated Draft PEIR determined that impacts related to GHG emissions would be less than significant when evaluated for consistency with the 2022 Scoping Plan and the latest RTP/SCS for the region. No further response is required.

*Response to ORTIZ 1-22*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to ORTIZ 1-23*
The comment is noted. Please refer to *Response to ORTIZ 1-21*. No further response is required.

*Response to ORTIZ 1-24*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-25*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 1-26*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to ORTIZ 1-27*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to ORTIZ 1-28*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to ORTIZ 1-29*
The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 1-30*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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~~October 12, 2023~~

March 22, 2025

**Via Email Transmission Only**
City of Fresno, Council Members – Districts 1 thru 7
City of Fresno, Mayor, Jerry Dyer
City of Fresno Planning Department & Commissioners, Jennifer Clark & Janice Monroe

Dear Council members, Mayor, Ms. Clark and Ms. Monroe:

This letter was previously submitted in October 23; however, we were informed the City failed to read it. Please accept this letter as our second submission. As a property owner living in the Southeast Development Area (SEDA), we are contacting you concerning Fresno City's Plan to develop 9,000 acres in this area. This letter follows and is in addition to the previous letter we submitted to your City. We are concerned that this development plan will be harmful to Fresno in numerous ways and, therefore, are asking you to oppose this plan. The plan failed to provide remedies to obvious problems; failed to provide direct answers regarding Air Pollution, Water, eminent domain, annexation, zoning, and full transparency. As you know, what the City is attempting to develop is a 15 minute city, a smart city under the guise of housing needed. However, as you further know, with Hotel Fresno in development, the wide array of vacant buildings in downtown Fresno (all throughout the City of Fresno), as well as the vacant buildings located on the northeast corner of Kings Canyon and Clovis Avenue and vacant land and new development on Clovis and Tulare there are areas that you can develop, why you are choosing prime farmland is reckless. Furthermore, it was just in the news about the old UMC building being purchased, the city could have required that the purchaser use this building for low income housing. 1

The number one concern with this development is the lack of water. There are no concrete answers from Fresno's Planning Commission as to how they will provide water considering the magnitude of the population increase promoted. 2

We are also concerned with the loss of the best agriculture soil in the world. It is sandy loam soil making it prime soil for agriculture purposes. We request that the agriculture heritage of Fresno not be turned into housing. 3

We are also concerned with the loss of county residency, the inner city problems created with high density housing, the climate change concerns, the loss of personal property due to eminent domain, and the loss of property value.

Please let us know when an item related to SEDA will be on the City Council's agenda.

Please help the Southeast Property Owners in **opposing Fresno City's goal of developing** the 9000 acres. We feel that the implementation of this proposal would have a negative effect on the property owners, the City of Fresno, and the production of food for the nation as well as the world. We request that this proposal not be implemented.

**When the farmland is gone, it's gone forever! Say NO to SEDA!**

3
CONT

Respectfully,

*David & Natalie Ortiz*

*Elijah Ortiz*

## *David, Natalie, and Elijah Ortiz (Second Letter) (ORTIZ 2)*

*Response to ORTIZ 2-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period.

Please also refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Further, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Finally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 2-2*

The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to ORTIZ 2-3*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the

Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

~~August 24, 2023~~

March 22, 2025

Adrienne Asadoorian, Planner
City of Fresno, City Clerk
Fresno City Council, Chairman and Council Members
2600 Fresno Street, Third Floor
Fresno, CA 93721

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**OPPOSE LETTER – EIR AND EDA/PROPOSED LAND USE/ANNEXATION/ BY THE CITY OF FRESNO**

Dear Chairman, Council Members, City Clerk, and Ms. Asadoorian:

This letter was submitted back in August 2023; it's our understanding the City failed to read it. This is a second submission. Please accept this letter as our **opposition** to the City of Fresno's EIR report and the SEDA development, annexation, proposed land use and the map thereto, which is an item that is expected to go before the City Council in or about October 2023.

Our specific property/land sits next to what is known as the Briggs Canal. It is our understanding that water in the Briggs comes from the Kings River. This water is what irrigates properties for the food that you and I to eat and serves a greater purpose. It is serviced and maintained by Fresno Irrigation District (FID). The District's web page, under About Us, states as follows: The FID is a leader in California water, serving over 200,000 acres of prime agricultural farmland … Farmland sitting next to or that abuts a water structure such as ours is rare in Fresno County and not easily attainable. With our property adjacent to Briggs, it is irrecoverable and we would suffer a great loss. Therefore, we oppose the redevelopment and conversion of prime farmland to serve a purpose as Flexible Research and Development, which by the City's definition means no residential uses will not be allowed. That would therefore leave eminent domain which the City has stated would not be used however if I do not sell and my neighbor does not sell then there is no other recourse but for the city to use eminent domain. We have all seen what has occurred with the Reedley lab and as stated by many of you council members the public is placed at risk and so many other factors such as disease, groundwater contamination were common concerns. If we in this area "Flexible Research and Development" please explain with specificity what occurs to the property/land/farm owners the process and procedures and confirm if our property will be taken from us through eminent domain? 1

The City's project and plan area consists of Prime Farmland. We own 2.49 acres of farmland in the proposed SEDA plan area. We house two tractors, chickens, apricot trees, as well as house pets on our land. We are current fosters for the county animal shelter and we are able to assist with fostering of more than one animal primarily due to the land we have. We work our land like most, if not all of the residents in this project area. Removing farmers who grow their own food; and/or who commercially feed this Community, County and State is reckless and negligent so that the City can expand. The City's proposed land use map reflects for our parcel "Flexible Research & Development." You want to take irrecoverable prime farmland for Flexible Research & Development when you can place Flexible Research & Development in the vacant Orchard Supply building (vacant for more than 5 years). Does that mean a lab such as that most recently found in Reedley, CA will go here. What does "Mixed Residential" mean on the City's map? I specifically asked if that meant low income housing, please explain. Again, there are so many other vacant buildings within the City of Fresno that would allow you to do this that we do not need to remove, redevelop and destroy Prime Farmland or Farmland in general.

1
CONT

We have been told on numerous occasions that we would not be required to hook up to City services (water, sewage). We believe that to be incorrect. We were told that the City would not require us to; if not the City then who? If I am the only house that does not hook up, will I be forced to hook up? What will the cost be? Is there the potential for placement of a lien on my home due to the cost of these services? Please also confirm with past projects in this area or within the City (i.e. the area in and around north Jensen and Fowler to Kings Canyon etc.) how that land development was handled and if the landowners that were pre-existing were required to hook up to City of Fresno services (water/sewage). If so, what were the services, what was the process, the cost, who was responsible to pay those charges or for those services; how many complaints did you receive from the landowners verbal and in writing, what was the remedy of said complaints; and if any of these homes resulted in liens being placed on landowners property/homes. Please also provide on current and past projects when property owners choose to stay and not sell, the city is therefore developed around their property, how many wells have gone dry due to the new development? Does this map become the zoning map for this area?

2

Property owners were also told by the City representatives that eminent domain is not allowed or can or will not be used on property owners and their land located on the Land Use Map for this project, please confirm if this is an accurate statement? When I spoke to Jennifer Clark at the last in-person Drop In meeting she stated that should one homeowner decide not to sell or annex, they (property owner) will not be forced to annex; however, later she stated that they (City) cannot have one house one way while the rest of the area is annexed. Please clarify this statement by Ms. Clark. How will her stated change occur if one home cannot be different from the rest? Please explain who will impose and force the annexation of the land/property owners unwilling and opposing to said annexation? Please explain the process and the impacts to the landowners as well as the changes to zoning affecting the homeowner who did not willingly annex their land. Will I still be able to farm with all these houses around me?

3

As you know, there is vacant land and buildings in or around Kings Canyon and Clovis Avenue; you have the Orchard Supply building that currently sits empty littered with homeless people. You have vacant land and buildings all throughout the City of Fresno and other cities within Fresno County and your plan is to destroy the Prime farmland of the SEPO (Fresno Southeast Property Owners). Destroy our farmland to build more homes, which thus creates more traffic, more congestion, more land and air pollution, more crime, and homelessness. With the Briggs Canal, if that waterway remains, with the increase in population and homelessness, our canals will turn into bathing facilities and used as restrooms. Please ask your homeless task force if that is a possibility that the homeless population uses waterways as bathing facilities and toilets? If this water is intended to feed the community, is it possible for fecal

4

matter, urine and other forms of illness to be in said water. Furthermore, take a drive around the City of Fresno, look at their canals and waterways, you currently have homelessness on your canal banks, tents, littered with trash (e.g. McKinley and Chestnut; in front of the Social Services building Phillip and Kings Canyon, the canal located east of Clovis Avenue--north of Kings Canyon by Orchard Supply). The City is unable to handle the demands of the current crisis and you want to spread it out. Your intent is to make a 15 minute city. We have seen the destruction of Paradise, Maui, when you began to impact the rural areas which are not intended to be within the city limits. We have water issues, we were just in a drought and there is no guarantee that we will be blessed with rain in the future. How will you control air pollution? Where will you get water from? How will you get the needed money to build the infrastructure for this plan? 4 CONT

**The City of Fresno needs a boundary, do not grow it out here destroying the aesthetic rural southeast farmland.**

**The EIR REPORT:**

Paragraph 1.2.1 lists the potential significant environmental issues that require further analysis. Therefore, this is incomplete. In light of this statement, we oppose this EIR and request that you vote to deny/oppose/reject. 5

Paragraph located on PDF page number 762 titled (Wild-2) … Pollutant Concentrations from Wildfire impacts under this topic would be less than significant and there is no substantial change. However, we disagree and oppose that statement in that the City has a wide-ranging homeless population. What factors were considered as it relates to the ongoing homeless population within city limits when addressing this issue? We see many fires started due to homelessness. City streets are littered with trash, drugs and/or paraphernalia, and the homeless population utilizing fire in order to cook or stay warm during the winter months. Therefore, we disagree with this report and believe further studies should be done. As a reminder and as stated in paragraph 3.19.7, you would be converting prime ag land to residential and mixed-use land uses. Significant and unavoidable. 6

Chapter 4 Other CEQA Considerations – Bulletpoint AG-1 (… Conversion of Farmland to Non-ag Uses) states 2,475 acres of land designated as Prime Farmland, 1,352 acres of Farmland of Statewide Importance, approximately 1,189 acres of land designated as Farmland of Local Importance, and 1,725 acres of land designated as Unique Farmland "**scattered" throughout the plan area**. The impact is significant. Based on this information contained in the EIR, we oppose and request that you vote to reject/deny/oppose and that this plan does not move forward. We further request that all maps be amended to identify the land properly in full transparency. Significant and unavoidable.

Bullet Ag-2 (… Conflict with Existing Zoning or Williamson Act Contract) – This paragraph states in part that according to the Williamson Act Property map, the majority of the Williamson Act properties within the SOI and City are located within the Plan Area. It further states that there is a significant impact on existing Williamson Act Contract land. Ultimately, you are still converting Williamson Act land to non-ag land. For this reason, we strongly oppose and request that you vote to oppose and/or deny on this basis. We further request that all maps be amended to identify the land properly in full transparency. Significant and unavoidable. 7

Bullet Cumulative Ag Resources and Forestry Resources Impacts states and acknowledges that there is a loss of Prime Farmland within the plan area. Under your plan, you destroy existing Prime Farmland, Unique Farmland and small farms to build or develop community farming and small farms. The EIR

states that it will be a significant impact on Ag zoning and the Williams Act Contracts and there would be land use changes resulting in the conversion of farmland to non-ag uses and is unavoidable. We were told by the City at Drop-In meeting #1 on July 24, 2023 that we would not be rezoned should property owners choose not to sell. However, Jennifer Clark at the last in person drop-in meeting stated that we cannot have just one home not similarly zoned or annexed; therefore, please confirm what occurs based on Clark's statement. Rezoning would only occur if a neighbor complained, which thus alters my land use. The City's statement clearly is misleading and misrepresents what is occurring. I believe the impacts would be more than significant in that you are displacing property owners who are generational farmers, and farmers of their own land; how many of us current property owners would be physically displaced, and harmed financially. Based on this information we request that you strongly oppose and/ or deny based on this statement. 7 CONT

Impact Air-1 paragraph states this projects exceeds the San Joaquin Valley Air Pollution Control District another significant and unavoidable impact. Based on this paragraph we request you vote to oppose and/or deny based on this paragraph. Please note that we asked at the drop-in meetings why the Air Pollution District was not a part of these meetings to share in on the added pollution due to this development.

Air-3 states that since it cannot be foreseen the amount of construction occurring nor the exact location it cannot be determined if the emissions could be adequately controlled or reduced. Based on this statement, we believe the study is not complete as it must be looked at, precise and discussed. We are opposed based on this statement and request that you vote to oppose/deny. 8

Greenhouse Gas Emissions cumulative impacts are significant and unavoidable. Based on this statement we oppose and request that you vote to oppose/deny.

Impact NOI-1 – This statement states that impacts are significant and unavoidable. It also states that they are unable to quantify therefore there is no true, accurate impact identified and said report is incomplete. Based on this statement we oppose and request that you vote to oppose/deny. The Cumulative Noise impact is again noted as significant and unavoidable.

Exhibit 5-2 of the EIR shows just under 2,500 acres of Prime Farmland, and Farmland of Statewide and Local Importance, Unique Farmland of Importance, etc.

The EIR Table 5-1 under paragraph 5.7 states there is no location in the City where 45,000 homes (yes the Plan calls for 45,000) could be constructed while avoiding environmental impacts to ag land. Ag land would be impacted regardless. However, the land is not your basic ag land, it is Prime Farmland, it is land that sits next to the Briggs Irrigation Ditch which is rare, it's farmland with statewide and local importance, it's my backyard, small farming, however, we the property owners choose to define it, its our land that you want to dismantle, convert, and take so that you can build 45,000 homes, parks, and research and development. 9

The Orchard Supply Building on Clovis and Kings Canyon has sat empty for a number of years, that can be your research and development. You want to take our farmland, our livelihood, what feeds our families, our communities, for a bike trail, a park, a residential development to teach people to have a garden (who will teach them there is no guarantee that they will use it for such) all the while destroying the Prime Farmland we landowners have created destroying our way of life and country life. You will add 45,000 homes during a recession, a time when most cannot afford, thereby creating more empty houses. You want to disrupt our way of life and destroy the farmland that we have just to build more homes that

most cannot afford. You want to help this community have your builders or developers lower the prices of their homes to sell those existing homes already built. Convert some of these developments/homes already in progress into mixed residential. Ag land should be the last thing we convert, land that currently feeds us. That salad you had for lunch, fruit, etc. came from one of us most likely. 9 CONT

We oppose the alternatives set forth in the EIR due to the type of land we are looking at as referred to in this report: Prime Farmland, Farmland of Statewide and Local Importance, Unique Farmland. Based on the impacts as listed above and based on viable alternatives, we request that you deny/oppose the EIR. Furthermore, we oppose as this EIR shows that the plan is fiscally irresponsible and environmentally irresponsible. Finally, we request that the SEDA Plan be opposed and denied. If you review the Level of Significance as outlined in the EIR, we have listed below just a few that are classified as Significant and Unavoidable; therefore, for these reasons request you oppose and deny the City's Plan and find another area or location in the City of Fresno for said projects. The impacts are significant and unavoidable. 10

Finally, we were informed and received in the mail, on July 21, 2023, the City's flyer for the "Drop-In" meeting; the first meeting set for July 24, 2023, hosted by the City of Fresno. As you can see from the dates, this was three days before the first scheduled meeting. As I verbally stated and inquired about with the City during the July 24th meeting, what is a the meaning of a Drop-in meeting? Who decided to title this meeting as a Drop-In? To title it as such, is misleading and misrepresenting the intent of the City and purposes of said meeting. This title lacks transparency and is intended to misstate and mislead the purpose of an extremely important topic of discussion. It does little to ensure community/public attendance, involvement, participation and is a sure way to prevent and limit public input. This is an extremely important meeting that impacts the community of southeast Fresno, specifically the Fresno Southeast Property Owners (SEPO) and therefore, I believe was titled as such to limit the number of attendees and silence the opposition. Furthermore, Sontaya Rose from the Mayor's office was in attendance and can confirm as well as other City representatives, the location picked for the first important meeting on July 24th lacked the capacity to hold the number of attendees, safely and comfortably, and posed a safety hazard in that it was about 105 degrees outside and there was no working AC inside said building thereby making it 110 degrees most likely inside with all the people in the building. As I stated on that date, I believe that was a safety hazard and put citizens at risk and compromised their health and well-being. Not one representative spoke to that and acknowledged that the first meeting should be rescheduled or some other remedy. The temperature inside the building added to the frustration felt by most of the members of the community. As I stated, this meeting labeled by the City is misleading, and a calculated manner in which to misrepresent, misstate, and divert the public's attention to what it is in actuality and that is to take and change or convert land from the property owners. Should the meeting have been labeled annexation, eminent domain, town hall, any one of those trigger words the public at large would have a true understanding of what is occurring in the southeast area of Fresno and would understand the true discussions and importance of what is happening thereby enhancing attendance and opposition. Furthermore, I see no link for those to participate virtually due to a disability, medical necessity or some other personal reason. It was stated that the City would have one day assigned to a webinar. As you know, the topics of discussion can be convoluted and we the community would need time to research the Q&A dialogue that is provided to us therefore one day for those unable to physically attend is not enough. The public should not be limited to one day; we should all be afforded the same the ability to attend all meetings. Quite frankly, the information changes so frequently it would be in the best interest of the public to attend all meetings. As such, in this regard, **we strongly oppose**. Furthermore, the meeting by the City on 7/24/23 was very unorganized and lacked structure and foundation as to the discussions and topics and the City ran out of comment cards in English—the space allowed for comments was minimal on such an important topic of discussion. 11

I would also like to know why no representative of the County was in attendance at these meetings? A representative of the City was asked about annexing property and the City representative responded with the City would not annex. Please confirm the process for annexation and if not the City of Fresno, then please confirm the responsible agency. Please provide details on what grounds for annexation, the criteria or guidelines that must be met to annex property/land? If this response requires information from the County, I would ask that you direct City representatives to coordinate their response and work with the County of Fresno or any other agencies involved to get said information. I believe the City of Fresno when asked these types of questions it is their responsibility to answer in detail and they are required to be fully transparent and should be able to intelligently communicate if not their agency the appropriate agency involved and that would handle. To leave the response as simple as it's not the City, is vague and intended to mislead the public. The City knows the answer to the question and to not provide a full response is intentional. It may not be the City's responsibility to annex but if they know that it is the responsibility of another agency they should state as such.

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I believe the SEDA homeowners/property owners have a right to know the following information. If there are costs associated with any of these requests, please confirm the amount or charges, in writing, prior to providing said information.

- Please provide the number of EIR's that are submitted to the City of Fresno per calendar year; and how many are rejected or voted as unapproved; how many are submitted to LAFCo per calendar year, voted as unapproved or rejected and the bases/reason for said vote.
- On April 25, 2023, an item went to the Fresno County Board of Supervisors, Agenda Item #8 regarding a variance application that falls within SEDA. During Mr. Assemi's comments to the Board, he referred to having received a timeline from the Mayor on the project. Please confirm what that timeline was and if a copy can be provided electronically to the property owners should they wish to received; and please explain why a developer would have that information but not the property owners who would be negatively impacted by SEDA? When was the timeline (Assemi refers to in his comments) provided to him by the Mayor? When was this timeline provide to the property owners (SEPO) who will be impacted? If it has not been provided to the property owners, why? My household has not received a timeline from the Mayor nor was one provided to property owners at any drop-in meeting and to my knowledge a timeline has not been provided to property owners in any meeting thus far by the City of Fresno. Please confirm how many variances in the SEDA project area have gone through the process, what that process is, including how many have gone to the County of Fresno Board of Supervisors for vote and the vote result from the start of the project(s)/plan to present?
- Please identify the land parcels, land and farmland in the SEDA project area that have been purchased by developers, date of purchase, names of builders, corporations, school district, water districts, and any other business organization, corporation or entity from the start of SEDA to present that have purchased. Please include the names, cross-streets, parcel numbers and any other identify factors of the land pending a sale, owned, purchased or sold.
- Please provide the information on when the property sold or was purchased and include land, property that is pending sale/purchase.
- Please provide the members of our community, SEPO (Southeast Property Owners), with information on how much farmland/land is currently owned in Fresno County, CA by Darrius Assemi and/or Granville Homes and any other developers, builders or business organizations.

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If this type of development continues, the lack of farmland to our community as well as the substantial loss of prime farmland is irrecoverable and factor in good farmland with irrigation resources such as ours, it is irrecoverable. Therefore, **we strongly oppose** the EIR and the SEDA development and ask that you deny and reject both in order to protect and preserve our homes and land.

**The City of Fresno needs a boundary, do not grow it out here destroying the aesthetic rural southeast farmland.**

**Once the farmland is gone, it's gone forever! Say NO to SEDA!**

13
CONT

Thank you.

*David & Natalie Ortiz*

*Elijah Ortiz*

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## *David, Natalie, and Elijah Ortiz (Third Letter) (ORTIZ 3)*

*Response to ORTIZ 3-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

As discussed in Section 2, Project Description, of the Recirculated Draft PEIR, Mixed Residential districts support the Regional and Community Town Centers with a variety of medium- and higher-density housing, including a diverse mix of attached and detached single-family and multi-family homes. No further response is required.

*Response to ORTIZ 3-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to ORTIZ 3-3*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to ORTIZ 3-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in the Recirculated Draft PEIR, the proposed project is a policy-level document, and no site-specific development is proposed at this time. The potential impacts associated with farmland, air quality, water supply, and traffic and congestion are discussed in Section 3.2, Agricultural Resources and Forestry Resources; Section 3.3, Air Quality; Section 3.10, Hydrology and Water Quality; and Section 3.17, Transportation and Traffic, respectively. Each section also discusses the methodology for determining the significance of potential impacts under CEQA. No further response is required.

*Response to ORTIZ 3-5*
The comment is noted. As discussed in the Recirculated Draft PEIR, the proposed project is a policy-level document, and no site-specific development is proposed at this time. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to ORTIZ 3-6*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 3-7*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 3-8*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 3-9*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 3-10*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to ORTIZ 3-11*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to ORTIZ 3-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to ORTIZ 3-13*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

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**From:** Sheila Otteson
**To:** Adrienne Asadoorian
**Subject:** Email with previous version of letter re: SEDA EIR as requested
**Date:** Monday, March 24, 2025 4:25:40 PM

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**External Email:** Use caution with links and attachments

From:
Sheila Otteson
6927 East Lane Ave
Fresno CA 93727

Date: March 23, 2025

To:
City of Fresno
Planning and Development Planning
Attn: Sophia Pagoulatos, Planning Manager
2600 Fresno St
Fresno CA 93721

Subject:
Concerns About the SEDA Recirculated EIR

Dear Ms Pagoulatos,

I have several concerns about three SEDA EIR sections related to air quality.

EIR 3.3.4 Air Quality - air quality in Fresno and it's surrounding areas is poor and often very bad. Moving in 45,000 homes, industry, business and vehicles will only worsen the air quality. Since moving to Fresno I experience the effects of poor air quality whenever quality measurements move into moderate and beyond by difficulty in breathing.

EIR 4-1 Impact AG-1 Farmland loss - Removing thousands of acres of farm land will reduce air quality. I suspect loss of sight lines to the beauty of the mountains has limited economic value to the members of the proposed community and its developers, I would miss then terribly. The views are good for the soul.

EIR 3.17 Transportation and Traffic— Vast increases in traffic, even bus traffic, will hugely impact air quality adversely. It is laughable that someone thinks That people will only drive 5 miles a day. Just look at Hwy 180 with cars packed in all lanes and slowing below 50 mph last week. the hwy and the extension of Kings Canyon Rd go through the middle of the town-let.

I hope the city planners will produce a more reasonable plan and correct the deficiencies in the EIR. As many urge, the city should look to improve existing open spaces and improve local areas so that people can live and work in a lovely Fresno and not pillage existing farmlands and seemingly open spaces in the country side.

Sincerely,

Sheila Otteson

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## *Sheila Otteson (OTTESON)*

*Response to OTTESON-1*

The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

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**From:** Paola Rodriguez
**To:** LongRangePlanning
**Cc:** Miguel Arias
**Subject:** Concerns About the SEDA Recirculated EIR 4-2
**Date:** Monday, March 24, 2025 5:00:39 PM

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**External Email:** Use caution with links and attachments

Paola Rodriguez, Humanics Alumni Ambassador@Fresno State
1040 S st, 93721 Fresno CA
03/24/25

City of Fresno
Planning and Development Department
Attn: Sophia Pagoulatos, Planning Manager

Dear Mr. Pagoulatos,
I am writing to express my concern about the SEDA Recirculated Environmental Impact Report, more specifically 4-2 Growth-Induced Impacts. If I am not mistaken this SEDA project exceeds our cities budget and our outstanding bond debt does not help our financial situation. SEDA relies on Fresno's rapid population growth without considering the community already inhabiting Fresno. The Department of Finance has shown Fresno will grow to just about 72,000 residents by 2035 not 226,000 residents like SEDA predicts. My main concern is who will pay for these homes?What will the city's Plan B be if bonds are granted and the project fails to make the bonds amount back?. Why has the council approved a new community in Fresno instead of working in our Downtown district and Tower area?.I say we can start to smooth roads and local grocery stores with fresh vegetables and fruits available for everyone in Fresno.

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Sincerely,
Paola Rodriguez
--
Cell number: (559)-362-9340
Email: paolarodriguez@mail.fresnostate.edu



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## *Paola Rodriguez (P. RODRIGUEZ)*

*Response to P. RODRIGUEZ-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please also refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

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| **From:** | Peter Smith |
| **To:** | LongRangePlanning; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nelson Esparza; Nick Richardson; Sarah Boren; Georgeanne White; Jennifer Clark; Andrew Janz; District1; District2; District3; District4; District5; District6; District7; Jerry Dyer |
| **Subject:** | City plan for SE Fresno |
| **Date:** | Sunday, March 23, 2025 4:40:02 PM |

External Email: Use caution with links and attachments

City Officials,

As a resident and citizen, I am deeply concerned about the proposal to further sprawl Fresno via the Southeast Development Area Specific Plan. I thought it was agreed years ago that sprawl is not helpful. It diminishes air quality, uses more energy, and creates a bigger, more intense heat footprint in our sweltering Valley. The only people I can think of who sprawl serves is developers (seeking max profits) and the politicians who receive developer donations for granting favors like sprawl. Let's not do this. It is morally suspect and environmentally irresponsible.

Further concerns are raised when I contemplate that if city money is going to new development sprawl, it will not be available for the neighborhoods that already exist. I drive up and down main thoroughfares in SE Fresno most days of the week and all roads are in need of repair. Is it a win that Chestnut between Cesar Chavez and Butler was resurfaced? Yes. Is it enough? Certainly not! Drive down Tulare, Maple, Chestnut, Cedar, First streets. All are plagued with rough roads and burgeoning potholes. Since new sprawl would entail new roads, that means funding for road repair in current SE Fresno will not happen. Unacceptable.

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Current fire and police services are barely adequate for SE Fresno and sprawl will only add more burden to first responder resources. Fresno is not ready for more sprawl until it can show and sustain a healthy, vibrant, in-filled city where quality of life is excellent for all citizens on all sides of town. Once we have achieved that goal, then it might be possible to consider replicating that in expansion beyond the city limits. Put the SEDA plan on ice and prioritize the initiatives that make for good governance, not profit-chasing.

2

Thank you for taking these concerns seriously,

Peter Smith
3863 E Kerckhoff Ave
Fresno, CA 93702
559.270.4946

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## *Peter Smith (P. SMITH)*

*Response to P. SMITH-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to P. SMITH-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Annette Paxton
**To:** LongRangePlanning; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; brandon.vang@fresno.gov; Nick Richardson; Nelson Esparza; Todd Stermer
**Subject:** [SUSPECTED SPAM] SEDA EIR Draft (Feb 7, 2025) Concerns
**Date:** Friday, March 21, 2025 9:42:17 AM

**External Email:** Use caution with links and attachments

Dear Council Members Perea, Karbassi, Arias, Maxwell, Vang, Richardson and Esparza
City of Fresno Clerk Stermer
and Planning Manager Sophia Pagoulatos

The purpose of this letter is to address my concerns of the proposed SEDA project and its affect on my home since 1988. I am rather disappointed that the City of Fresno continues to spend money to coerce its residents to believe that annexation of the surrounding rural landscape is responsible land management. I wrote in opposition to the EIR Draft dated July 14, 2023. The letter was emailed and USPS mailed to all city council and county supervisor members as well as the City of Fresno's clerk, planner and planning manager. Please note: I received only two responses to my letter. Both responses were personal telephone calls from gentlemen who respectively do not even represent my area: then Supervisor Sal Quintero and Council Member Garry Bredefeld.

I am a lifetime Fresnan. I have chosen to be educated in Fresno (Class of 1981 CSUFresno). I chose to stay in Fresno and to establish my career. I chose to raise my family in Fresno; I believe my children are "Fresno Proud." I have always thought that I am a part of the fabric that makes Fresno special. 1

Below are several issues from the February 7, 2025, EIR that I believe need to be resolved:

1) **Aesthetics, Light, and Glare** (AES 3-4) -- Level of significance after mitigation **remains significant and unavoidable impact** -- please address how the mitigation measures will be enforced. As the crow flies, my home is 3-1/2 miles from Lamonica Stadium. Right now, I see "Friday night" lights from my backyard. How will the light pollution generated by the SEDA project will not be enforced when it's not enforced now?

2) **Agricultural Resources and Forestry Resources** (AG 1-2; AG 5) -- Level of significance after mitigation **remains significant and unavoidable impact** -- please address why the agricultural soil in Fresno County is not valuable enough to be protected? Seventy-five percent of the SEDA project's acreage involves destruction of prime farmland that is either of statewide or local importance. The soil in this particular region of Fresno County is the richest soil in the world -- the SEDA project paves right over it. These acres can not be recreated somewhere else. This soil 2

produces food for millions of people worldwide. Much like California's coastline protections, this soil should be protected as well. Current growers are already pushed out and ag workers are displaced. Has the EIR calculated the loss of agricultural revenue and livelihood income? Please save our agricultural jewel. Don't violate the Williamson Act. 2 CONT

3) **Air Quality** (AIR 1-3) -- Level of significance after mitigation **remains significant and unavoidable impact** -- please advise why every mitigation effort listed requires a multitude of bulleted items to enforce one area.There are no reliable measures other than the Valley Air District to monitor the expansion. I think it is silly to recommend that signage to monitor idling vehicles and hand brushing or a low pressure paint sprayer will maintain air quality -- how would this even be enforced? This entire mitigation section is a game of "smoke and mirrors." Bottom line: the SEDA project will irreversibly affect air quality. 3

4) **Greenhouse Gas Emissions** (GHG 1-2) -- **Level of significance after mitigation is now "N/A"** -- please address the contradiction in the July 14, 2023, EIR Draft, which stated GHG 1-2 created significant and unavoidable impact, while the February 7, 2025 EIR Draft now states the level of significance is "N/A". How can greenhouse gas emissions from a project that adds 45,000 homes on 9,000 acres while removing 75% of farmland (the "green belt" is farmland) not address greenhouse gas emissions? I consider this a severe oversight of the EIR and should be re-evaluated. 4

5) **Hydrology and Water Quality** (HYD 1-5) – **Less than significant impact with mitigation incorporated** -- please address why the mitigation measures can state "less than significant impact" to the current water quality and quantity issues in the central valley. Currently, there are huge water issues without the SEDA project. This expansion will only increase an already overtaxed system. Water regulations are constantly changing. The SEDA project's expansion does not take into consideration next year's water availability. Additionally, the EIR Draft does not address any changes to water delivery to current residents' using well water. I consider this a severe oversight of the EIR and the city and county of Fresno. Any changes to my current water supply created by SEDA greatly changes the property value and my ability to live in my home. 5

6) **Land Use and Planning** (Cumulative Impact) -- **The project would have a less than significant cumulative impact on land use and planning**) -- I can not believe that there is "no significant cumulative impact on land use." I do my best to be a steward of this land and air. I plant a small garden and share the fruit from my trees with my neighbors. I couldn't do this type of living within the city's limits, which is why I chose to live in a rural setting in the County of Fresno. The SEDA project will take away my privilege of living where I chose to live 35 years ago. I will no longer be able to afford to live in my home. This cost to be annexed will force me to leave. SEDA changes my property's land use. 6

7) **Wildfire** (WILD 1-4) -- **No mitigation measures offered** -- please advise how SEDA's mitigation measures would need to be altered when California has just experienced wildfires burning through communities like Pacific Palisades and 7

Altadena, CA. The SEDA project encourages new neighborhoods to be built similar to what was so easily destroyed by wildfire this January 2025. There needs to be a plan in place prior to approving any annexation. 7 CONT

I would like to close by asking why the City of Fresno chooses not to infill within its boundaries where infrastructure already exists? There are so many blighted areas in Fresno that are at risk of vagrancy, burning and vandalism. What is the cost of infrastructure for an annexation this large? Where does the City of Fresno intend to get the money? I haven't seen any financial reports for the cost of this project or the revenue stream to create the project. I recommend that the City of Fresno do something bold and unconventional: rebuilt from within. I would think there are grant dollars available – specifically for rebuilding from within. Clean blighted areas. Stop city sprawl. Decrease the sphere of influence boundaries. Give all residents a reason to be Fresno Proud!

To City of Fresno officials: **Stop the SEDA project**.
To Fresno County Supervisors: **Stand up and protect the citizens who elected you**.
To everyone: **Stop the unrelenting land grab and protect California's unique central valley**. 8

**QUALITY OVER QUANTITY.**

Sincerely,
Annette Paxton
7412 E Pine Avenue
Fresno, CA 93737
Cell: (559) 906-0718
annettepaxton82@gmail.com

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## *Annette Paxton (PAXTON)*

*Response to PAXTON-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period.

Further, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As described in Section 3.1, Aesthetics, Light, and Glare, of the Recirculated Draft PEIR, the proposed project would include increased development in the Plan Area, leading to increased light from streetlights, exterior lighting from buildings, and vehicle headlights, compared to the current rural and agricultural land uses. Although the proposed project would comply with applicable policies and requirements and implement MM AES-4a through MM AES-4e, which require shields to direct light away from light-sensitive uses and minimize spillover onto adjacent properties, as well as non-reflective building façades, impacts related to light and glare would remain significant and unavoidable.

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The PEIR prepared for the proposed project concluded that project implementation could result in potentially significant effects on the environment, and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. The MMRP documents how and when the mitigation measures adopted by the Lead Agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Recirculated Draft PEIR. No further response is required.

*Response to PAXTON-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to PAXTON-3*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The PEIR prepared for the proposed project concluded that project implementation could result in potentially significant effects on the environment, and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. The MMRP documents how and when the mitigation measures adopted by the Lead Agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Recirculated Draft PEIR. No further response is required.

*Response to PAXTON-4*
The comment is noted. As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State

Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5th District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Plan includes reduction targets for 2035; however, the full 25-year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis will evaluate the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs. The comment does not identify a legitimate basis for recirculation, and as such, no further response is required.

*Response to PAXTON-5*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to PAXTON-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to PAXTON-7*
The comment is noted. Please refer to Master Response 12, Clarifying Information on Wildfire Analysis, in Section 2, Master Responses. Master Response 12 elaborates on the methodology used in Section 3.19, Wildfire, of the Recirculated Draft PEIR. No further response is required.

*Response to PAXTON-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

March 13, 2025

City of Fresno
Planning & Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721

Re: SEDA EIR, Sec3.17-5

Dear Ms. Pagoulatos,

I am writing this letter for two reasons. First to express opposition to the annexation proposed in the SOUTHEAST AREA DEVELOPMENT AREA (SEDA), previously known as the SOUTHEAST GROWTH AREA (SEGA), and second to express my opposition to the acceptance of the ENVIRONMENTAL IMPACT REPORT (EIR) currently under consideration.

Because I am not an expert, I began reading the EIR with something I am familiar with. I saw Temperance Avenue at the top of page 3.17-5, so I started reading. My question; **'HOW CAN A DOCUMENT THAT WILL SO GREATLY AFFECT PROPERTY OWNERS IN FRESNO COUNTY HAVE SUCH A GROSSLY ERRONEOUS STATEMENT AS THE ONE REGARDING TEMPERANCE AVENUE'?**

Temperance Ave. is designated throughout as a "SUPER ARTERIAL". This is described as a 4, 5, or 6 lane road with a raised median.

**It is described on page 3.17-5 as a four lane north-south arterial with an interchange at SR-180. Land adjacent to Temperance Avenue consists mostly of farmland, and the road becomes a two-lane facility south of Hamilton Avenue. The speed limit along Temperance Avenue is 40 mph.** 1

Apart from the four lane at SR-180, **nothing of the above is factual.**

**Temperance Avenue is a Super Arterial as defined from Shields Avenue north to Dakota Avenue. South of Shields Avenue to the four lane approaching SR-180 it is a two lane. South of Kings Canyon it becomes a three lane for a short period before returning to a two lane. It is not largely farmland, it is largely rural residential.**

**The speed limit along Temperance Avenue is never 40 mph, It varies along its length from 45 mph to 55 mph.**

Every scenario for the road that has been previously presented by the city has shown it as being upgraded to a six lane with raised median, a raised median to frontage roads and pedestrian walkways. This is in the city's General Plan. We attended a city meeting at Boris Elementary School on this subject. 2

**In no way does this coincide with any description found in the EIR.**

If this is an example of the accuracy to the EIR as a whole, I think it calls into question the entire EIR. Especially since it would be so easy to accurately describe a single road. 2 CONT

The EIR says the speed limit on Jensen Avenue is 45 mph. In fact, through the plan area, the speed limit is 55 mph. It was, until recently 65 mph. 3

These may be small errors but they are indicative of poor research, possibly even research that has never been actual on-site research. Such sloppiness in one area will likely be evident in other areas and calls into question the accuracy and validity of the entire EIR. Also, perusing the full report, one finds page after page of repetitive language that seems carefully crafted to actually say nothing. A classic case of boilerplate that has probably been used in many other reports. This is certainly not the work of a report that actually took years and thousands of dollars to prepare. 4

I feel strongly that it would be foolish to accept this EIR because of its demonstrable errors and faulty research.

**Why is this important? Because this is base or background upon which policy and implementation are built. The end product is never any better than the foundation on which it is built.**

Thank you,

Ross & Marie Potter
1598 N. Temperance Ave.
Fresno, CA 93727
559-252-2085

CC: Annalisa Perea, Dist. 1
Mike Karbassi, Dist. 2
Miguel Arias, Dist. 3
Tyler Maxwell, Dist. 4
Elected Member, Dist. 5
Nick Richardson, Dist. 6
Nelson Esparza, Dist. 7
Todd Stermer, City Clerk

## *Ross and Marie Potter (POTTER)*

*Response to POTTER-1*
The comment is noted. It recommends revisions that were already made in the Recirculated Draft PEIR. No further response is required.

*Response to POTTER-2*
The comment is noted. It recommends revisions that were already made in the Recirculated Draft PEIR. No further response is required.

*Response to POTTER-3*
The comment is noted. It recommends revisions that were already made in the Recirculated Draft PEIR. No further response is required.

*Response to POTTER-4*
The comment is noted. It recommends revisions that were already made in the Recirculated Draft PEIR. No further response is required.

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| | |
|---|---|
| **From:** | Jerry Prieto |
| **To:** | LongRangePlanning |
| **Subject:** | Fw: Comments On the City of Fresno-Southeast Development Area Specific Plan Project Recirculated Draft Program EIR |
| **Date:** | Thursday, March 20, 2025 10:34:18 PM |

**External Email:** Use caution with links and attachments

**From:** Jerry Prieto
**Sent:** Thursday, March 20, 2025 10:27 PM
**To:** longrangeplannining@fresno.gov
**Cc:** annalisa.perea@fresno.gov; mike.karbassi@fresno.gov; miguel.arias@fresno.gov; tyler.maxwell@fresno.gov; nick.richardson@feresno.gov; nelson.esparza@fresno.gov; todd.stermer@fresno.gov
**Subject:** Comments On the City of Fresno-Southeast Development Area Specific Plan Project Recirculated Draft Program EIR

Hello, my name is Jerry Prieto Jr. My wife Cynthia and I own and operate Red Bank Ranch, a small family farm consisting of 8.9 acres. In addition, we lease 4 additional acres from our neighbors. Our address is 2517 N. DeWolf Avenue. The following are our comments on the subject EIR. 1

Section 3.2 Agricultural Resources and Forestry Resources
**Question:** Why is the EIR excluding the use of pesticides in farming practices? Organic farming does not mean that pesticides are not used. There are many pesticides that are registered for use on organic crops. The California Department of Pesticide Regulation has the sole authority to regulate both the registration and use of pesticides. This is accomplished at the local level through the County Agricultural Commissioner.

Section 3.4 Biological Resources
**Question:** How will the Red Bank Slough be protected from development or encroachment including the establishment of trails? This slough is one of the last remaining riparian creeks in close proximity to Fresno. It is home to Red Tail hawks, Cotton Tail rabbits, Grey Fox, California Kingsnake, Coyotes, Gopher Snake, Red Wing Blackbird, Black Backed woodpecker; Flicker woodpecker; Gilbert's Skink, Opossum, Raccoon, Valley Elderberry, Western Pond turtle and numerous bird species. These are species that I have observed in the slough over the last 23 years. 2

Section 3.10 Hydrology and Water Quality
**Question:** Why is the City of Fresno proposing to charge farmers and ranchers a recharge fee for well water that is extracted to irrigate their crops and domestic use? The Fresno Irrigation 3

District supplies surface water to these farmers and ranchers that is applied to crops. Some of this water finds its way to the aquafer which becomes a benefit to the City. In addition, the farmers and ranchers have an overlying right to the groundwater beneath their property and Fresno City may not have the authority to assess the recharge fee. It may be appropriate to restrict the amount of extracted water should the North Kings Groundwater Sustainability Agency establish extraction allotment restrictions.

3 CONT

Section 3.18

**Question:** Will there be any exception for existing rural residential properties to the sewer connection mandate? I have been informed that the cost for the connection must be borne by the property owner and that the cost is estimated to be $50,000 for homes located near the street. The homes on some of these properties are located at the back of their property which can make the connection cost prohibitive. My home is 700 feet from the street and if a sewer line is within 300 feet of my property line I will be required to connect to that point! This seems very unreasonable.

4

Thank you for the opportunity to comment on the EIR.

Jerry Prieto Jr.
Red Bank Creek Ranch
2517 North DeWolf Avenue
Fresno CA 93737

## *Jerry Prieto (First Letter) (PRIETO 1)*

*Response to PRIETO 1-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to PRIETO 1-2*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As noted in Master Response 5, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As further detailed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR, future development associated with the implementation of the proposed project would be required to implement MM BIO-1a through MM BIO-1d, MM BIO-2a through MM BIO-2c, and MM BIO-3a through MM BIO-3b, as applicable, to reduce potential impacts to wetlands, riparian habitat or sensitive natural communities, and any special-status species. No further response is required.

*Response to PRIETO 1-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to PRIETO 1-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

**From:** Jerry Prieto
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer; Jerry Dyer
**Subject:** AMENDED Comments On the City of Fresno-Southeast Development Area Specific Plan Project Recirculated Draft Program EIR
**Date:** Friday, March 21, 2025 3:22:48 PM

**External Email:** Use caution with links and attachments

Hello, my name is Jerry Prieto Jr. My wife Cynthia and I own and operate Red Bank Creek Ranch, a small family cattle ranch consisting of 8.9 acres. In addition, we lease 4 additional acres from our neighbors. Our address is 2517 N. DeWolf Avenue, Fresno, CA, 93737. The following are our amended comments on the subject EIR. Original comments were submitted 3/20/25 at 10:34 P.M.

Section 3.2 Agricultural Resources and Forestry Resources
**Question:** Why is the EIR excluding the use of pesticides in farming practices? Organic farming does not mean that pesticides are not used. There are many pesticides that are registered for use on organic crops. The California Department of Pesticide Regulation has the sole authority to regulate both the registration and use of pesticides. This is accomplished at the local level through the County Agricultural Commissioner.

Section 3.4 Biological Resources
**Question**: How will the Red Bank Slough be protected from development or encroachment including the establishment of trails? This slough is one of the last remaining riparian creeks in close proximity to Fresno City. It is home to Redtail hawk, Cotton Tail rabbit, Grey Fox, California Kingsnake, Coyote, Gopher Snake, Red Wing blackbird, Blacked Backed woodpecker, Flicker woodpecker, Gilbert's skink, Opossum, Raccoon, Valley Elderberry, Western Pond turtle and numerous bird species. Theses are species that I have observed in the sough over the last 23 years.

1

Section 3.10 Hydrology and Water Quality
**Question**: Why is the City of Fresno proposing to charge farmers and ranchers a recharge fee for well water that is extracted to irrigate their crops and for domestic use? The Fresno Irrigation District supplies surface water to these farmers and ranchers that is appplied to crops. Some of this water finds its way to the aquafer which becomes a benefit to the City. In addition, the farmers and ranchers have an overlying right to the groundwater beneath their property and Fresno City may not have the authority to assess the recharge fee. It may be appropriate to restrict the amount of extracted water should the North Kings Groundwater Sustainability Agency establish extraction allotment restrictions.

Section 3.18

**Question**: Will there be any exception for existing rural residential properties to the sewer connection mandate? I have been informed that the cost for the connection must be borne by the property owner and that the cost is estimated to be $50,000 for homes located near the street. The homes on some of these properties are located at the back of their property which can make the connection cost prohibitive. Our home is 954 feet from the street and if a sewer line is within 300 feet of my property line I will be required to connect to that point! This seems very unreasonable.

1
CONT

Thank you for the opportunity to comment on the EIR.

Jerry Prieto Jr.
Red Bank Creek Ranch
2517 North DeWolf Avenue
Fresno, CA, 93737

## *Jerry Prieto (Second Letter) (PRIETO 2)*

*Response to PRIETO 2-1*

The comment is noted. This comment letter is a duplicate of *PRIETO 1*. Please refer to *Response to PRIETO 1-1* through *Response to PRIETO 1-4*. No further response is required.

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**From:** Tim Pritchard
**To:** LongRangePlanning; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer; Annalisa Perea
**Subject:** [WARNING: UNSCANNABLE EXTRACTION FAILED]South East Property Owners
**Date:** Wednesday, March 19, 2025 5:53:57 PM

**External Email:** Use caution with links and attachments

Anaxation is not what tax payers in this area want. The people in this area want to reside in the county. We don't want to be part of home congestion, crime heavy, city traffic, homeless camps. We are still in a drought and increasing the population will severely affect the water supply.

1

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### *Tim Pritchard (PRITCHARD)*

*Response to PRITCHARD-1*

The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

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**From:** Mary Ann Quann
**To:** LongRangePlanning
**Subject:** SEDA comments
**Date:** Sunday, March 16, 2025 9:26:09 AM

External Email: Use caution with links and attachments

I'm opposed to continuing with the SEDA plans. I don't see that encouraging infill projects and addressing current infrastructure needs in Fresno is being addressed. 1

Mary Ann Quann M.D.
2607 W Stuart Ave
Fresno, CA 93711

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## *Mary Ann Quann (QUANN)*

*Response to QUANN-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Rhonda Dueck
**To:** LongRangePlanning; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nelson Esparza; Nick Richardson; Jerry Dyer; Sarah Boren; Georgeanne White; Jennifer Clark; Andrew Janz; District1; District2; District3; District4; District5; District6; District7
**Subject:** VOTE NO on SEDA!!
**Date:** Sunday, March 23, 2025 10:26:46 PM

**External Email:** Use caution with links and attachments

Dear Fresno City Leaders,

As Fresno city leaders you are called to make decisions that are for the common good of our One Fresno.
The city of Fresno has a history or poor planning and poor decision making for development often due to significant pressure and promises from developers who often contribute towards election campaigns. This might seem like it is hidden, but the truth is that we can see this happening. It is obvious. This can stop now. Poor choices in the past do not need to continue. Please be people of integrity who make decisions that are best for Fresno - for now and into the future.
The SEDA project does not make good sense for our city as a whole for many reasons and I will highlight just a few here. 1

1. The research and investigation into the environmental impacts is insufficient and incomplete. This study needs to be expanded and completed so the implications are clear. The results need to be made public and easily accessible and written to make sense to the common citizen.

2. The actual cost for infrastructure including sidewalks, sewers, lights, roads, fire station, police patrols, etc. needs to be accounted for in extensive and detailed lists and given real numbers. My understanding is that some estimates only included some of the services required in order to make the numbers more acceptable. Deceiving the public is not acceptable! 2

3. There is only so much money for the city to spend to keep infrastructure working and appropriately repaired. If a new housing development is going to be developed where the infrastructure does not currently exist, it means there will not be as much, if any, money available for the areas of the city where there are already homes, businesses, and schools in existence. Our current neighborhoods are desperate for upgrads and repairs. The number of reports the GOFresno receives everyday is plenty to keep our city workers busy and budget used. 3

4. We are lacking in efficient and sufficient public transit in the city of Fresno and expanding the city bounds will require expanding this route without significant funding available which will only make the system worse. We need to rather spend money to expand the current routes to run more often and to more places within the city limits already developed. 4

5. We can all agree that additional housing is needed in Fresno, but the estimates that are being used to justify this development are out of sync with estimates from those who are 5

studying these trends closely. Also, we need affordable housing that are going to help people be closer to shopping, school, and jobs. Increasing city sprawl will not help this. Let's rather give incentives for contractors to build in the infill spaces available so that we can use the space available that already have the existing infrastructure attached to it.

5 CONT

6. The downtown of a city is a reflection of the priorities and vitality of the city. The further from downtown we build and develop, the less focus and resources we will have for downtown. It seems often when there are resources reserved to focus on downtown, they get reallocated to another project further out, thus increasing the decline of our city center. Energy and resources must be focused on downtown for revitalization for the good of our city.

I am passionate about Fresno and take great pride in living here. The decisions that you make about SEDA will impact Fresno for many years to come. Please do not make this decision lightly and do not be influenced by your political ambitions that allow people to negotiate with you in ways that benefit them, rather than our city. Rather, make the right decision that is best for Fresno. Our future is depending on you to lead well!!

6

Thank you for your time,
Rhonda Dueck

photo

photo

**Rhonda Dueck**
***Executive Director***
**Jackson Community Development Corporation**

559-709-3132
rhondadueck@jacksoncdc.org
jacksoncdc.org

EMPOWERED RESIDENTS = THRIVING COMMUNITY

## *Rhonda Dueck (R. DUECK)*

*Response to R. DUECK-1*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to R. DUECK-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to R. DUECK-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to R. DUECK-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to R. DUECK-5*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to R. DUECK-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Cindy Ramsey
**To:** LongRangePlanning
**Cc:** Nelson Esparza; Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Todd Stermer
**Subject:** Recirculated SEDA EIR 2025
**Date:** Monday, March 24, 2025 8:42:59 AM

**External Email:** Use caution with links and attachments

To: longrangeplanning@fresno.gov

With copy to:

Annalisa Perea: annalisa.perea@fresno.gov
Mike Karbassi: mike.karbassi@fresno.gov
Miguel Arias: miguel.arias@fresno.gov
Tyler Maxwell: tyler.maxwell@fresno.gov
Nick Richardson: nick.richardson@fresno.gov
Nelson Esparza: nelson.esparza@fresno.gov
Todd Stermer: todd.stermer@fresno.gov

Date: March 24, 2025

Re: Draft Recirculated Program Environmental Impact Report Fresno Southeast Development Area Specific Plan Project, City of Fresno, Fresno County, California (the "EIR") and SEDA Southeast Development Area Specific Plan Draft (the "SEDA Plan")

Dear Sophia Pagoulatos, Planning Manager, Planning and Development Department, City of Fresno:

I am writing this letter in reference to the EIR and SEDA Plan. After reviewing all of this information for quite some time now, it is clear that the best interest of the citizens of Fresno is not in mind. It clearly leans towards unethical expansion and not logical in fill and revitalization of a city that could use support in neglected areas. Instead valuable farmland and generationally owned land parcels are being stripped away little by little to create cheap and fast new builds by greedy developers. It would be good to know that our politicians and city officials have our backs on this disaster of a plan and are willing to respond to us with logical and intelligent solutions that support the growth of the city without annialating the last of our rural residential farmland. I humbly ask that all of you reply to the below question and concerns: 1

1. On ES-2 under Quantified Objectives, the EIR states that its objectives are to accommodate 40,000 - 45,000 dwelling units with only 30,000 - 37,000 jobs as per Chapters 3.14 and 2.3 respectively. What is the rationale on building more houses than actual jobs for people? How will future residents be able to buy a home here without enough jobs to accommodate the same number of dwelling units?
2. On ES-2 under Fiscal Responsibility, the EIR states that the SEDA Plan will provide self-financing for the development and ongoing maintenance while not reducing the City of Fresno's resources already dedicated to the City while not burdening residents outside of the SEDA however the cost of the SEDA Plan and the self-financing thereof is not listed anywhere with the EIR nor the SEDA Plan. How much is the SEDA Plan expected to cost and what is the cost of self-financing? If the cost of the SEDA Plan will not burden residents outside of the SEDA, how does the City of Fresno plan on burdening the residents inside the SEDA and at what costs? How much will SEDA residents' taxes increase? 2
3. Under the same page and section (ES-2, Fiscal Responsibility) and in regards to Chapters 3.11 and 3.18, why isn't the City of

Fresno considering the renovation and adaptive reuse of existing structures since this is typically much less expensive than large-scale new construction. The City of Fresno could prioritize retrofitting underutilized spaces instead of spending millions, if not billions, on new infrastructure, utilities (including water, sewer and power), and roads. 2 CONT

4. On ES-2 under Social Equity, the EIR states that the SEDA Plan will promote health by reducing harmful emissions from cars and industry in Chapter 3.8 (Greenhouse Gas Emissions), but how can the SEDA Plan accomplish this during the building phase with all of the emissions from building equipment, subsequent air pollution, hazardous materials, etc.? What steps will be taken and upheld to ensure the safety of residents, workers and wildlife? Prolonged exposure to fine particulate matter and diesel exhaust has been linked to an increase in heart attacks, strokes, and other cardiovascular conditions. What is the City of Fresno going to do to mitigate this exposure? 3
5. On ES-5 under Impact AG-2 which refers to Chapter 3.2 (Agricultural Resources and Forestry Resources) of the EIR, it states that the SEDA Plan includes land under the Williamson Act and convert it to non-agricultural uses without any mitigation to reduce it to less than significant which contradicts the purpose of this program. Please provide details on how the City of Fresno plans to pay for the monetary penalties of up to 25% of the market value of the land plus 25% of the value of any incompatible improvements? Will SEDA residents' taxes be used to pay for these penalties? 4
6. In reference to Chapter 3.10 (Hydrology and Water Quality), what is the budget for the stormwater systems, water supply, altering the existing drainage patterns, capturing the substantial increase in runoff and building additional areas/sources for capturing additional flood water?
7. Where is the City of Fresno planning on getting the millions of gallons of water required to build 40,000-45,000 dwelling units as per Chapter 3.10 (Hydrology and Water)? 5
8. On page 2-18 and in reference to Chapter 3.17 (Transportation and Traffic), the EIR states that the City of Fresno will provide "high quality transit service" without any information on how this will be accomplished. What the budget is for such high quality transit service? Please provide the environmental impact report for such transit service? A blank check is unacceptable and such questions must be addressed prior to approval. 6
9. How does the City of Fresno plan on acquiring and funding the necessary resources of adding additional police, fire, ambulatory and other emergency and protective services to accommodate the additional population and increase of businesses and other infrastructure to not only maintain, but reduce both crime and response time to emergencies based on the proposed SEDA Plan (referencing Chapter 3.15 (Public Services))? 7
10. How much money or other financial and non-financial kickbacks are you, all those copied herein and other city officials receiving from land developers, builders, contractors, corporations, etc. to get the SEDA Plan approved? 8
11. With reference to Chapter 3.9 (Hazards and Hazardous Materials), what is the City of Fresno's plan to prevent public and environmental hazards caused by accidents involving the release of hazardous materials into the environment both in the air and water? What is the City of Fresno's plan to mitigate the increase in construction waste in our landfills? 9
12. Referencing Chapter 3.2 (Agricultural Resources and Forestry Resources), the proposed plan will permanently convert thousands of acres of Prime Farmland and Farmland of Statewide Importance into non-agricultural uses, with no feasible mitigation to preserve this essential resource. What is the City of Fresno doing to preserve this fundamental resource and at the very least mitigate this issue? Why isn't the City of Fresno considering focusing on urban infill development, instead of destroying farmland, in an effort to preserve Fresno's farmland and agricultural economy and maintain food production stability? 10
13. Referencing Chapter 3.3 (Air Quality), the SEDA Plan will generate significant criteria air pollutants during construction and operation, exceeding San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds. Mitigation measures cannot fully reduce these emissions and this needs to be addressed by the City of Fresno since we have been working to reduce the pollution for the last twenty years and just within the last decade we have finally seen an improvement where we can actually see the surrounding mountains. The SEDA Plan could reverse all those efforts. Please detail how the City of Fresno would address the following in regards to air quality: 11

- air pollution and respiratory issues due to the increase emissions of particulate matter, ozone, nitrogen dioxide and diesel particulate matter, all of which are linked to asthma, bronchitis and lung cancer.
- exposure to Toxic Air Contaminants that have been linked to severe illnesses including leukemia

14. One of the SEDA Plan's goals is to reduce vehicle miles traveled (see pages 6, 12, 25, 33, 64, 78 and 110 in accordance with Chapters 3.14 and 3.17). However, per the SEDA plan, only 37,000 jobs are estimated to be created with 40,000-45,000 dwelling units to be built. How can the SEDA Plan accomplish a reduction in vehicle miles travelled when (at the absolute least, assuming 1 person per household) a minimum of 8,000 people (difference between 45,000 dwelling units and 37,000 jobs created) will have to travel outside of the plan area to commute to their jobs when more and more companies are implementing a return to office policy? Additionally if people must travel outside of the plan area, this leads to increased vehicle emissions and traffic resulting in higher rates of health issues (respiratory and cardiovascular diseases) due to prolonged exposure to vehicle exhaust. 12

A very concerned SE property owner,
Cindy Ramsey

## *Cindy Ramsey (RAMSEY)*

*Response to RAMSEY-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to RAMSEY-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to RAMSEY-3*
The comment is noted. As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The

mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to RAMSEY-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please also refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to RAMSEY-5*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to RAMSEY-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to RAMSEY-7*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to RAMSEY-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to RAMSEY-9*
The comment is noted.

**Hazards and Hazardous Materials**

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, as detailed in Section 3.9, Hazards and Hazardous Materials, of the Recirculated Draft PEIR, future discretionary projects would be required to implement MM HAZ-2a through MM HAZ-2h to reduce potential impacts related to the reasonably foreseeable upset or accident conditions involving the likely release of hazardous materials into the environment. MM HAZ-2a through MM HAZ-2b include the requirement to conduct a Phase I Environmental Site Assessment (Phase I ESA), agency coordination, and remediation, as applicable.

**Solid Waste**

As detailed in Section 3.18, Utilities and Service Systems, new residential, commercial, mixed use, and public land uses in the Specific Plan Area would increase the amount of solid waste generated by residents and businesses. The increase in growth and development as a result of the implementation of the proposed Specific Plan would result in an increase of solid waste to transfer stations and landfills and contribute to an increased demand for solid waste services throughout the Plan Area.

Based on the estimated closure dates of the American Avenue Landfill in 2031 and the Clovis Landfill in 2047, there is a potential for additional landfill capacity needed to accommodate the additional development from this Specific Plan. Therefore, development under the proposed Specific Plan could result in a significant impact on landfill capacity. Implementation of the proposed plan would result in a total buildout of approximately 45,000 dwelling units and over 3,000 acres (130+ million square feet) of mixed use, commercial, office, retail, public, and open spaces throughout the Specific Plan Area. The proposed increase in development would result in a long-term increase in solid waste generation with each new land use.

To reduce the significant impacts associated with the solid waste disposal, the City will need to increase disposal capacity. The policies in the General Plan are designed to reduce the potential

effect associated with solid waste disposal including those associated with the proposed Specific Plan. The City is responsible for evaluating additional landfill locations to ensure adequate landfill capacity for future development, and MM UTIL-4 requires that the City shall not approve development that could contribute solid waste to a landfill that is at capacity until such additional capacity has been provided. All future development under the Specific Plan would be required to comply with State and local requirements for reduction of solid waste going to landfills. No further response is required.

*Response to RAMSEY-10*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to RAMSEY-11*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As discussed in Section 3.3, Air Quality, of the Recirculated Draft PEIR, the proposed project has the potential to exceed the SJVAPCD's significance thresholds during construction and operation. Full build out of the proposed project would result in the generation of substantial long-term criteria air pollutant emissions that would exceed the SJVAPCD regional significance thresholds and would therefore not be considered consistent with the existing AQPs. MM AIR-1a, MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to reduce construction and operation-phase criteria air pollutant emissions; however, the mitigation measures would not reduce emissions to less than significant levels. Applicable SJVAPCD rules and regulations in addition to the proposed project's policies and design guidelines would contribute to reducing long-term criteria air pollutant emissions to the extent feasible. However, due to the magnitude and intensity of development accommodated by the proposed project, impacts would remain significant and unavoidable.

As noted above, the proposed project is a policy-level document and does not propose any specific site development at this time. Future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary. As such, the mitigation measures identified above require future development in Plan Area to provide technical analyses as part of the project environmental review for construction, operational, and health impacts and mitigate the identified impacts in those technical studies to the greatest extent possible. The

mitigation measures also include potential mitigation strategies for future development to utilize to reduce air quality impacts. Future development in the plan area will still have to go through the appropriate level of environmental review where impacts to air quality will be evaluated against the suggested significance thresholds in Appendix G to the CEQA Guidelines, which is the City's standard practice.

Additionally, please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to RAMSEY-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

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|---|---|
| **From:** | markreitz1@aol.com |
| **To:** | LongRangePlanning |
| **Cc:** | District1; District2; District3; District4; District5; District6; District7; District2@fresnocountyca.gov; District3@fresnocountyca.gov; District4@fresnocountyca.gov; District5@fresnocountyca.gov |
| **Subject:** | Comments on Recirculated Draft PEIR for Fresno Southeast Development Area Specific Plan Project - Mark and Dale Reitz |
| **Date:** | Monday, March 17, 2025 11:26:20 AM |
| **Attachments:** | Comments to Recirculated Draft PEIR_SEDA Reitz 3-15-2025 Final.pdf |

**External Email:** Use caution with links and attachments

Attached are our comments to this Recirculated Draft PEIR for Fresno Southeast Development Area Specific Plan Project per the Notice of Availability dated February 7, 2025.

We appreciate your work and look forward to successful adoption of the Alternative 2, Consolidated Business Park Alternative as requested in our letters and past discussions with you and at the neighborhood meetings.

Please keep us on your list for notifications of further responses to comments and upcoming meetings.

Thank you,

Mark and Dale Reitz
markreitz1@aol.com
dtreitz@flash.net

1

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

March 15, 2025

Comments on Recirculated Draft Program EIR for Fresno Southeast Development Area Specific Plan Project

State Clearinghouse Number 2022020486 – Comments by Mark Reitz and Dale Reitz

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

We have watched the city grow to the southeast over the past 50 years, and we are excited for a well-planned and responsible expansion of Fresno. Currently, there are three new major residential subdivisions directly across the street from our farm property on Temperance Ave as well as a new Sanger Unified High School at Jensen and Fowler and a planned new elementary school on the west side of Temperance Avenue just eighth of a mile south of our property.

2

We and our neighbors have attended numerous planning meetings and public presentations. We have offered our written recommendations and alternative maps regarding land use planning in our area going back to 2007. These documents have been passed on to various members of the Fresno Planning Department staff who have been very gracious in reviewing them and providing further direction for us on how we should submit our recommendations and input. We were essentially told to follow the development of this PEIR and to provide our input to the original land use map that was proposed back in 2006 (almost 20 years ago) and no changes would be made to it during this preparation period and that we need to provide our input to the City Planning Department and to the Planning Commission and City Council during the adoption period.

**Below are a few of the justifications we presented in our prior letters and documents for relocating a portion of the Land Use Plan Area bounded by Temperance Ave. to the west,**

**Church Ave. to the south, the Briggs Canal to the east, and the Railroad to the north, from Flexible Research and Development/Regional Business Park to a mixture of Community Center, Mixed Residential, and Neighborhood Residential. We request this change or some version of it for the reasons outlined in the documents previously submitted and summarized below. Also, considering there is a serious shortage of housing in Fresno and California this change should be desirable.** 2 CONT

- The Sanger Unified School District has recently purchased and zoned a 15-acre parcel on the west side of Temperance about midway between the Railroad and Church Ave. This school as well as the new High School at Jensen and Fowler Avenue would benefit by having more residential homes and apartments closer to these schools to reduce car miles driven and allow walking to school. 3
- A community center, a small commercial center, and similar job-creating uses at this site will serve the proposed residential and mixed residential areas as well as the very large residential areas (4 square miles) to the west of Temperance between Kings Canyon Road and Jensen Avenue. Currently there are no shopping/commercial areas for over 3 driving miles to the Kings Canyon/Clovis Avenue center. Adding a small community center/office/ commercial center and some mixed residential would greatly reduce trip miles, air pollution, and noise. These uses would not conflict with the large community center proposed at DeWolf and California Avenue and would complement it by reducing trip miles between shopping/office space needed in both areas. The proposed four-lane California Avenue would support both developments and conveniently connect the Temperance and DeWolf arterial streets for both bicycle and foot traffic. 4
- There is significant pressure/demand on this area to develop employing these land uses due to the SR 180 Freeway completion. Temperance Avenue will be a major connector between SR 180 and Jensen Avenue for communities to the south and east such as Sanger, Del Rey, Reedley, Parlier, and Selma. There are no services, such as gas stations, grocery stores, drug stores, restaurants, etc., to serve this traffic volume. The streets and large community centers proposed over a mile to the east will not develop for 20 to 30 years or more and will not be able to serve the immediate needs. This inconvenient situation will create more trip miles, air pollution, and noise. 5
- More jobs will be created by the uses we proposed compared to the Business Park/Flexible R&D land uses. If these proposed Business Park lands develop in this area in the distant future, it would be primarily warehouses, storage areas, or agricultural-related processing industries. There are already many large industrial areas in the Fresno area along Jensen Avenue to the west, at the Fresno airport only 5 miles away, and in Clovis. There is no demand in this area for such land use, and it would cause this area to develop last, if ever. **By making this area Flexible R&D, it will essentially stop or severely slow development of** 6

**this area and cause development to leapfrog over to areas east of the Briggs Canal. This would cause an expensive and undesirable situation for City services, such as roads, water, sewer, storm drainage, gas, and electrical, to be extended far to the east without development west of the Briggs Canal. Stranded areas of land development are sure to cause unnecessary environmental impacts, future inconvenience, and wasted money.** 6 CONT

- The industrial area to the north of the railroad at Temperance up to Butler Avenue is primarily an agricultural/wet industry (La Destria, formerly Bonner Packing). This is a significant industrial development that has existed for over 150 years at this large site. Zoning of Business R&D may not be consistent with this existing use due to significant odors, noise, rail (double rail spur), truck traffic, and similar environmental impacts. We suggest that this entire area north of the railroad up to Butler Avenue be kept as industrial only. The railroad would provide a good buffer and transition to the community center/office/Mixed Residential uses we are proposing. 7
- If it is necessary to have a certain number of Industrial or Business Park/Flexible R&D acres in the plan, we suggest moving this zoned area to south of Jensen Avenue and west of Temperance Avenue. The present plan shows some residential in these areas, which would be an environmentally unsound choice due to the heavy traffic noise, and air quality impacts created by a future six-lane roadway such as Jensen Avenue. An example of this undesirable situation can now be found on the north side of Jensen between Clovis and Fowler Avenues, where homes are being built adjacent to this busy highway. 8
- **As evidenced by our previously proposed application in 2008 for this modification, over 70 percent of the property owners (17 parcels) in this area do not want the Industrial/Flex R&D zoning in this area.** These property owners have owned and paid taxes on these properties for many years, in some cases over 75 years. Many of the parcels are small (less than 10 acres) and are not conducive to developing the larger parcels necessary for Business Park/Flexible R&D, which would further hamper the sales and development of the area for these uses. This condition would promote further leapfrogging over this area. 9
- The Phasing of Development shown as Exhibit 6 provided at the May 3rd 2022, public meeting showed our area to be developed third of four phases. We disagree with this phasing order and feel the area shown as third should be second and the area shown as second moved to third. The area south of Jensen is entirely agricultural now with no major roads completed other than Jensen Ave. There are also no utilities extended near this area. Development of this area would be much more expensive and cause additional deleterious environmental impacts. The State Center Community College is no longer planned for this area, so there is no reason for the land to be developed before the area east of Temperance Avenue between SR 180 south to Jensen Ave. The latter area is already developing due to the new Freeway and the near future extension of Temperance Ave as a super arterial. Also, the new Southeast Fresno regional water treatment plant is just to the northwest and can 10

be used to bring water to this area more economically. We would appreciate your consideration in this logical and environmentally sound change if phased development of the SEDA area is proposed. 10CONT

In reading Chapter 5 of the Recirculated Draft Program EIR prepared by the City of Fresno, the city considered various Land Use Alternatives. One of these, listed as **Alternative 2, Consolidated Business Park Alternative**, is described as follows:

*Under the **Consolidated Business Park Alternative (Alternative 2)**, the SEDA Specific Plan would occur as planned, but this alternative maintains the Flexible Research and Development land designations from the General Plan for the area south of Jensen Avenue. It would accommodate approximately 42,900 homes and 36,000 jobs within the 9,000-acre planning area. This is approximately 2,100 fewer homes and 1,000 fewer jobs, when compared with the proposed project. Alternative 2 would have slightly less density of development than the proposed project. The area identified in the SEDA Specific Plan as Flexible Research and Development to the east of Temperance Avenue and north of Jensen Avenue would be developed as Neighborhood Residential and Mixed Residential with two community centers and five neighborhood centers. Additionally, this alternative would change the land use designations for the planned Mixed Residential and Neighborhood Residential, along with the Community and Neighborhood Centers south of Jensen Avenue. Under Alternative 2, that area would be designated as Flexible Research and Development and Offices. **Please refer to Exhibit 5-1 for a visual representation of this alternative.***

The Exhibit 5-1 Land Use Map is enclosed with this letter as well as **Exhibit 1-1 which is the called the "Proposed Project"** in this document. This "Proposed Project" is the same land use document that has been unchanged since the original work on SEGA plan was done in 2007. 11

The **Alternative 2, Consolidated Business Park Alternative, essentially agrees with what we and our neighbors have been proposing since 2008, and we are extremely pleased that it was analyzed to the same degree as the "Proposed Project" in the Draft EIR.** The results of this analysis, as described in detail in Chapter 5, were determined to be an **environmentally superior alternative** as compared to the "Proposed Project" when all aspects are considered. This determination was illustrated in **Table 5-1** of the Recirculated Draft Program EIR and is enclosed with this letter. Below are excerpts from the Recirculated Draft Program EIR that reflect this determination as well as the project objectives related to new dwelling units and jobs.

## *5.2 - Project Objectives*

*As stated in Chapter 2, Project Description, the objectives of the proposed project are to:*

***Quantified Objectives***

*• Accommodate between 40,000 and 45,000 dwelling units of varying types, sizes, densities, and affordability levels.*

• *Accommodate between 30,000 and 37,000 jobs.*

## *5.6 - Environmentally Superior Alternative*

***CEQA Guidelines Section 15126(e)(2) requires identification of an environmentally superior alternative.*** *If the No Project Alternative is environmentally superior, CEQA requires selection of the "environmentally superior alternative other than the No Project Alternative" among the project and the alternatives evaluated.* ***The qualitative environmental effects of each alternative in relation to the proposed project are summarized in Table 5-1.***

***Land Use and Planning***

*Alternative 2 would have slightly less density than the proposed project.* ***Alternative 2 would not physically divide an established community****.* ***This alternative would allow for planned development and growth and would increase connectivity and support, strengthen, and connect new communities.*** *However, this alternative might reduce impacts to land use by consolidating Office Center and Flexible Research and Development land uses to the area south of Jensen Avenue.* ***Therefore, impacts to land use would be expected to be less than significant, similar to but slightly less than the proposed project.***

11
CONT

## *5.6 - Environmentally Superior Alternative*

*"****The Consolidated Business Park Alternative is the environmentally superior alternative because it has similar, but slightly less, impacts as compared to the proposed project and meets the project objectives."***

Also enclosed as a separate attachment is a brief executive summary of the relevant discussions in Chapter 5 of the Draft Program EIR that reinforce our conclusions and recommendations.

In summary we wish to thank the city and city staff for allowing us and our neighbors to comment on the Recirculated Draft Program EIR. For the reasons stated above and also as stated in your own Recirculated Draft Program EIR, **we request that the *Consolidated Business Park Alternative (Alternative 2),* be adopted as the preferred land use plan and be adopted as such.** We hope that the City Planning Department and the City Planning Commission will make this recommendation to the City Council for adoption based on the desires of the property owners in this area as well as the analysis performed by their EIR consultant in accordance with the CEQA process. If you have any questions, you may contact me at the address and contact information below.

Sincerely

Mark Reitz PE

246 E. Denise Ave.

Fresno CA 93720

559-905-4523

Markreitz1@aol.com

Dale T. Reitz

405-818-7280

dtreitz@flash.net

Enclosures

CC:

Annalisa Perez District 1 Council Member, District1@fresno.gov

Mike Karbassi District 2 Council Member, District2@fresno.gov

Miguel Arias District 3 Council Member, District3@fresno.gov

Tyler Maxwell District 4 Council Member, District4@fresno.gov

District 5 Council Member, District5@fresno.gov

Nick Richardson District 6 Council Member, District6@fresno.gov

Nelson Esparaza District 7 Council Member, District7@fresno.gov

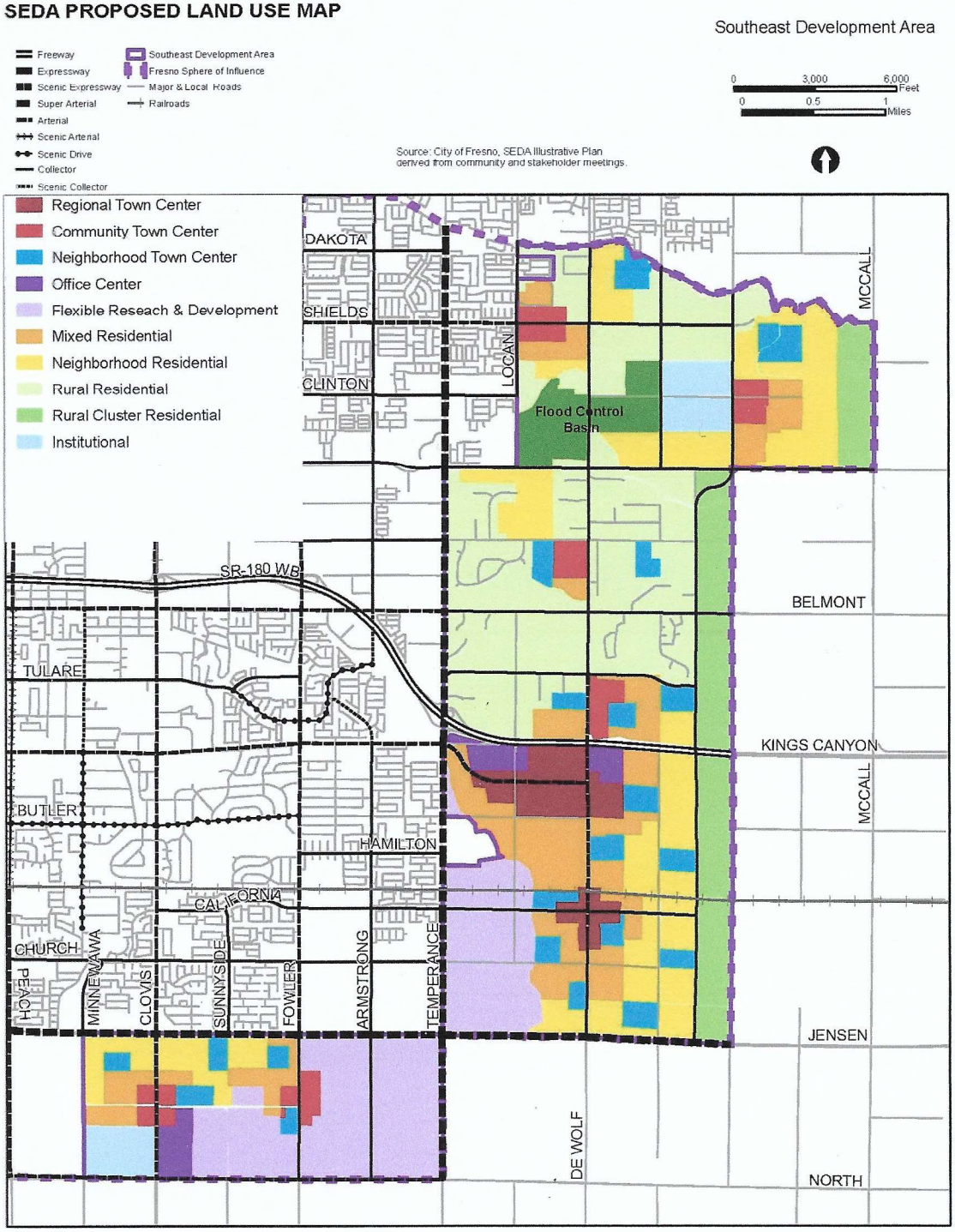
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Luis Chavez District 3 Supervisor, District3@fresnocountyca.gov

Buddy Mendes District 4 Supervisor, District4@fresnocountyca.gov

Nathan Magsig District 5 Supervisor, District5@fresnocountyca.gov

## SEDA PROPOSED LAND USE MAP




**Map 2.5 SEDA Proposed Land Use**

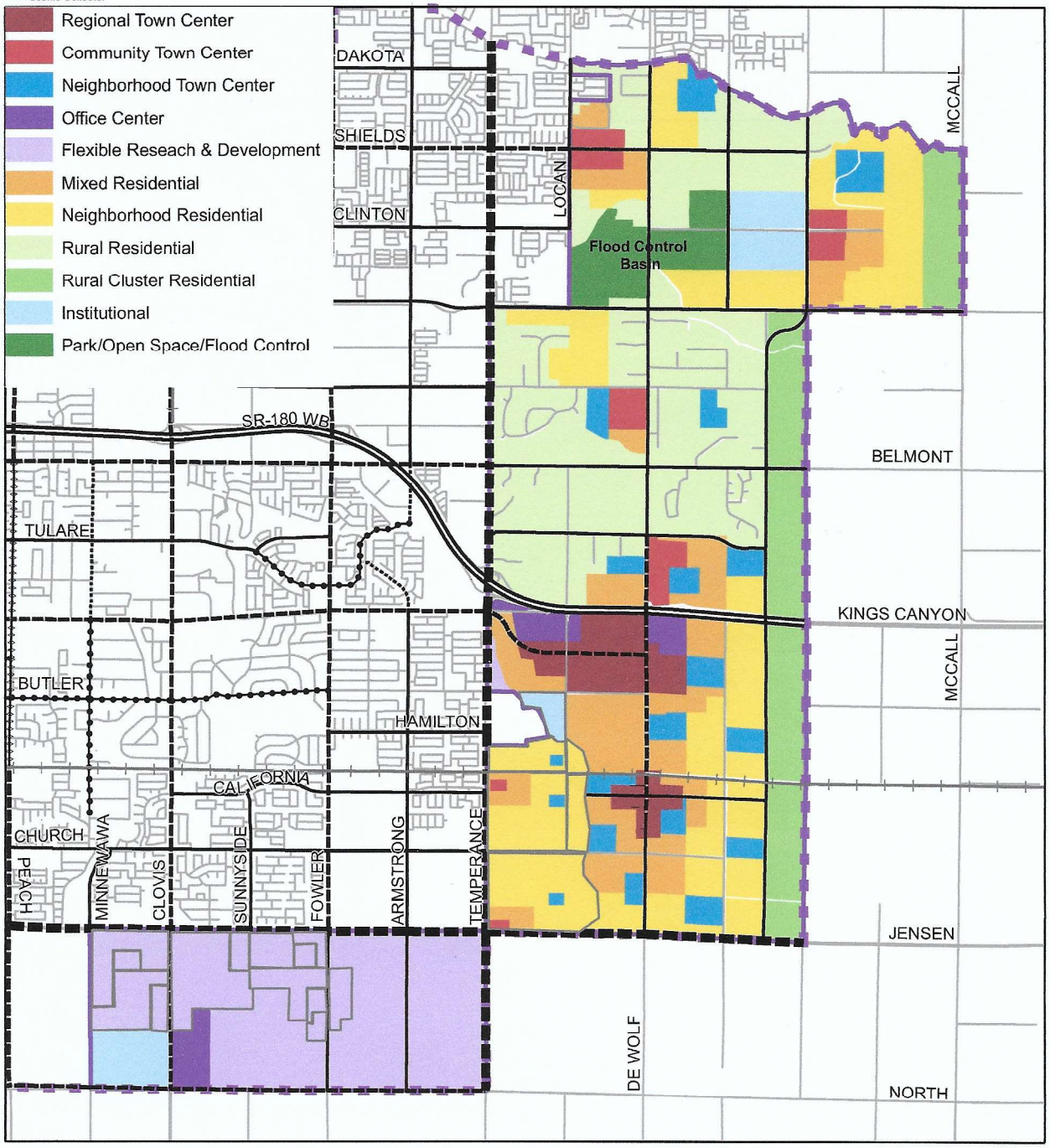
## CONSOLIDATED BUSINESS PARK ALTERNATIVE

Southeast Development Area

Freeway
Expressway
Scenic Expressway
Super Arterial
Arterial
Scenic Arterial
Scenic Drive
Collector
Scenic Collector
Southeast Development Area
Fresno Sphere of Influence
Major & Local Roads
Railroads

0 3,000 6,000 Feet
0 0.5 1 Miles

Source: City of Fresno, SEDA Illustrative Plan derived from community and stakeholder meetings.




Source: City of Fresno

FIRSTCARBON SOLUTIONS™

Exhibit 5-1
Consolidated Business Park Alternative

Comments on Recirculated Draft PEIR, SEDA Specific Plan Project #2022020486

After a review of the SEDA General Plan, Recirculated Draft PEIR Specific Plan, and the three Alternatives in Chapter 5, I believe the Consolidated Business Park Alternative 2 offers the best course of action to satisfy the PEIR Project objectives.

Alt 2 would maintain existing R&D land designations from the General Plan for the area south of Jensen Avenue but allow the area east of Temperance Avenue to be developed at Neighborhood and Mixed Residential with two community centers and five neighborhood centers (p. 5-6). This scenario would permit proper organized and phased development on potentially stranded land east of Temperance and west of the Briggs Canal. Consolidation of Flexible R&D land south of Jensen Avenue would offer the opportunity for synergies of planning and phased development in one contiguous area instead of two separate tracts.

Alt 2 would accommodate 42,900 homes and provide 36,000 jobs within the 9,000 ac planning area (p. 5-14). These estimates are 95% of the maximum in the range outlined in the project objectives of the SEDA Specific Plan (p. 5-7) and 97% of the maximum jobs in the range outlined in the Plan, while offering the benefit of slightly less development density and environmental impact. 12

Alt 2 would consolidate the proposed Office Center and Flexible R&D land uses to the area south of Jensen Avenue, thus preserving more undeveloped space (p. 5-15). Alt 2 would not physically divide an established community, allow planned development, and increase connectivity to support and strengthen new communities (p. 5-18).

Alt 2 would provide similar development to the proposed project, but with slightly less intense impacts to GHG emissions, agricultural, forestry, and biological resources (p.5-15). In fact, the 2025 Recirculated Draft Plan made no mention of any significant net increase in GHG emissions for Alt 2 (5-21). The previous 2023 Draft Plan had stated that “Alt 2 would still have a significant net increase in GHG emissions and would have a significant GHG impact per the City of Fresno GHG Reduction Plan Update (5-17).”).

Alt 1, No Project Alternative, would use current land use and zoning maps from the General Plan. This alternative would include an estimated 17,900 homes and 29,600 jobs (p. 5-6). These numbers are below the range of homes and jobs identified as "quantified objectives" in the SEDA Specific Plan. Alt 1 would have similar, but slightly less, impacts than the proposed SEDA Specific Plan. 13

Alt 3, Farmland Conservation Alternative, envisions no future development or ground disturbing activities on specific farmland (648.61 ac) designated for conservation (p. 5-22). In addition, a Rural Cluster Residential Buffer (832 ac) on the east side of the Plan area would be excluded from development. Preserving this buffer farmland would reduce the transitional buffer and cause residential lands to be in closer contact with active agricultural land (p. 5-25). This unavoidable conflict of land use continuity would likely contradict the Specific Plan Policy UF-1.6 and create a significant environmental impact (Table 5-1). This land use conflict creates an incrementally greater environmental impact, rendering it inferior under CEQA Guidelines (p. 5-29). 14

"Alternative 1, the No Project Alternative, would not meet the project objectives. Alternatives 2 and 3 would meet many of the project objectives. The Consolidated Business Park Alternative is the environmentally superior alternative because it has similar, but slightly less, impacts as compared to the proposed project and meets the project objectives." (p. 5-29). 15

Thank you for your thoughtful consideration.

Dale Reitz and Mark Reitz

1080 S. Temperance Ave.

Fresno, CA. 93727

559-905-4523

405-818-7280

Markreitz1@aol.com

dtreitz@flashnet.net

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## *Mark and Dale Reitz (REITZ)*

*Response to REITZ-1*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to REITZ-2*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-3*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-4*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-5*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide

additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-6*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-7*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-8*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-9*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to

comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-10*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. Master Responses 1 and 2 further detail why comments on Specific Plan policies are not further addressed in the Final PEIR. No further response is required.

*Response to REITZ-11*
This comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. As discussed in Chapter 5, Alternatives, of the Recirculated Draft PEIR, the Consolidated Business Park Alternative would have similar, but slightly less impacts to the proposed project's less than significant or no impacts associated with biological resources; cultural resources and Tribal cultural resources; energy; geology, soils, and seismicity; GHG emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; public services; recreation; transportation; utilities and service systems; and wildfire. The significant and unavoidable impacts related to aesthetics, light, and glare; agriculture resources and forestry resources; air quality; and noise would remain significant and unavoidable. The significant and unavoidable impacts related to a conflict with the Valley Air District regional significant thresholds and a cumulatively considerable net increase in criteria pollutants would remain significant and unavoidable under the Consolidated Business Park Alternative. Additionally, this alternative would not meet all of the project objectives. No environmental issues are raised, and no further response is required.

*Response to REITZ-12*
The comment is noted. Please refer to *Response to REITZ-11*. No further response is required.

*Response to REITZ-13*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to REITZ-14*
The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

*Response to REITZ-15*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

SEDA OBJECTIONS LETTER

Our names are Gregory J. Renna and Abbe J. Renna, we live within the City of Fresno's proposed Southeast Development Area. We are writing to voice our objections to this plan for several reasons covered herein.

Section 3.2- Agricultural Resources and Forest Resources

If approved, The SEDA plan could convert 9,000 acres of rural Fresno County Prime farmland into as many as 45,000 housing units. We have neighbors who are currently farming a variety of produce including fruits and vegetables. Our area includes the beauty of the blossom trail and views of our mountains, which we hope to preserve for generations to come.
The city plans to enforce restrictions on farmers outside their authority. As farmers in the Westlands Water District for a number of years, we learned first hand how government control of water can destroy farming. We were forced to sell our farm property in 2002, due to the environmental and governmental restrictions placed on us as farmers. The property on which we currently reside is excellent farmland and its loss would be devastating to the community as a whole. Once this land is taken over by homes there will be no turning back, this precious farmland will be gone for good. There are several areas in Fresno, where homes have been built near established orchards, and even though the home buyers knew they would be living in an agricultural area, they complained, and restrictions were put on the farmers. We do not believe this is the best use of our valuable rural farmland. The SEDA plan does not value the cultural role of agriculture in our valley.
With regard to forest resources, the SEDA plan does not account for the timber products that would be needed to build these new homes and facilities. 1

3.10 - Hydrology and Water Quality

California has already overtaxed its water systems. As was recently evidenced in the horrific wildfires in Southern California, water storage is well below what is needed to support our population, existing homes, schools, and farming. With no new dams or reservoirs under construction, how can the City of Fresno allow for more people, homes, and facilities to be built in our area.
As rural residents, we have to monitor the depth of our wells and be concerned with ground water recharge. We are the best stewards of our land and water resources. If the SEDA plan passes, we will have to condemn our wells and connect to city water at an exorbitant cost to each homeowner. Many of us have lived on our properties for decades, and have worked hard to pay off our mortgages. Now the City will require us to go into debt during our retirement years. 2
As the population grows, the use of pesticides, paint, oil, and other dangerous chemicals will grow exponentially. Scientists have found that many of the medications we take such as hormones and statins do not break down and therefore percolate into our water systems. Does the city have a plan to mitigate these pollutants?

Section 3.8 - Greenhouse Gas Emissions
Section 3.17 - Transportation and Traffic

The addition of up to 45,000 homes and the population increase which will accompany these homes will undoubtedly add to Greenhouse gas emissions in our area. In fact, the project is estimated to triple air pollution levels in Southeast Fresno, according to city documents.There is not currently any means of mitigation proposed. The SEDA plan does not show a budget or environmental impact report for “high quality transit.”
In California, most homes house at least 2 adults. Many families require both adults to work. Given this data, up to 90,000 jobs will be needed to support the influx of people to our area. Obviously, many of the required jobs will be outside of our area, and will demand the use of cars, undoubtedly raising air and water pollution levels in the form of greenhouse gasses. 3

Section 3.15 - Public Services

We do not see any proposal for a budget to meet the increased need for public services. How can the city guarantee our safety while walking, biking, or driving in these newly developed areas? With more residents, more walking trails, and open areas planned for recreation, we know there will be a greater need for firefighters as well as police. We do not feel that we have enough public servants in our area currently. We have already seen an influx of homeless people in nearby neighborhoods, freeway on ramps, and empty lots. The City of Fresno has not been able to prevent these encampments from springing up. Our belief is that the City of Fresno is not prepared to add enough additional personnel to serve this expansion of homes and people. 4

## *Gregory and Abbe Renna (RENNA)*

*Response to RENNA-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Please also refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR.

Furthermore, as detailed in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR, the proposed project would not conflict with existing zoning for, cause rezoning of, or result in the loss of forest land and timberland. No further response is required.

*Response to RENNA-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

*Response to RENNA-3*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to RENNA-4*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

**From:** Maricela Reyes
**To:** LongRangePlanning
**Cc:** Andrew Janz; Annalisa Perea
**Subject:** SEDA public comment from District 1 resident Maricela Reyes
**Date:** Monday, March 17, 2025 9:56:06 AM

**External Email:** Use caution with links and attachments

Dear Fresno Long Range Planning Team,

I am a City of Fresno District 1 resident writing in response to the new proposed SEDA Environmental Impact Report draft.

**I strongly object to the SEDA plan described in the Recirculated Draft PEIR and urge all City leaders to wholeheartedly reject SEDA in full**.

SEDA will harm the City of Fresno, our neighborhoods, and Fresno residents. The harm is likely to be profound and last for decades. 1

My objections include, but are not limited to, the following five key concerns:

- **The City of Fresno is in debt. Approving SEDA is fiscally irresponsible**. Approving SEDA invites significant additional debt with no guarantee of future development to offset it. This debt will be a burden on city residents, tax payers, and businesses for years to come.
- **The SEDA plan is dangerously outdated, based on a wildly inaccurate presumed growth rate**. This plan assumes a growth rate ten times greater than our current - and declining - growth rate. 2
- **SEDA will direct our clearly limited resources away from existing neighborhoods and their profound infrastructure needs**. One example: the people in West Fresno have been working for years to get infrastructure changes described in the West Area Specific Plan to improve pedestrian safety, storm drainage, traffic flow, cyclist safety, and green space. I believe successfully implementing their West Area Specific Plan is more important than implementing SEDA - and we have every reason to believe approving SEDA will imperil this and similar plans in our existing neighborhoods. 3
- **SEDA will harm Fresno businesses**. I hear business owners asking for improvements to sidewalks, parking, drainage, traffic flow, and lighting. Thriving businesses support a thriving Fresno, and they deserve better. Investing in SEDA without clear assurance that SEDA will NOT redirect the City's already minimal infrastructure attention away from our existing business districts will be a blow to our existing businesses.
- **SEDA will destroy existing communities of county residents who have no voice in this process.** I have listened to the upset voices of people currently living in the area that would be transformed by SEDA. 4

It's not yet part of the City, so they have no council members to fight for them - or even listen to them. SEDA threatens their communities and their agricultural land without taking their interests into account.

4
CONT

I am urging all City leaders involved in assessing SEDA and its impact on the City of Fresno to reject this plan to protect us all from the harm it will bring - and to strengthen our capacity to improve and enhance our existing neighborhoods and communities.

With appreciation for your public service,
Maricela Reyes
4330 W. Saginaw Way
Fresno, CA 93722

## *Maricela Reyes (REYES)*

*Response to REYES-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to REYES-2*

The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to REYES-3*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to REYES-4*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Christopher Rocha
**To:** LongRangePlanning
**Subject:** SEDA EIR
**Date:** Monday, March 24, 2025 9:49:35 AM

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**External Email:** Use caution with links and attachments

Approving SEDA would have long-term fiscal impacts on City services, diverting investments from existing neighborhoods already struggling with urban decay, missing infrastructure, and underfunded public services.

We must prioritize infill development, economic growth in Central and South Fresno, and equitable investments for all communities - not just new suburban expansions. 1

Thank you,

Chris Rocha
6076 N Tracy Ave, Fresno, 93722
District 2

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## *Christopher Rocha (ROCHA)*

*Response to ROCHA-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Martha Rodriguez-Torres
**To:** LongRangePlanning
**Subject:** Concerns regarding the SEDA Recirculated EIR
**Date:** Saturday, March 22, 2025 10:42:47 AM

**External Email:** Use caution with links and attachments

To:
Sophia Pagoulatos, City of Fresno Planning Manager

I am writing to you in regard to the recirculated EIR for the expansion of SEDA. I am not in agreement with this plan which will further create unwanted growth, noise and air pollution and reduction of farmland.

Why are you trying to annex 9000 acres to the city of Fresno when there are so many needs within the existing city boundaries?

3.3.4 Our air quality is one of the worst in the nation. We continue to suffer health problems (asthma, sinus infections, etc. ) and limited days of activity because of the poor air quality. This will only exacerbate the situation. 1
3. 17 I currently live off Temperance and Lowe. The amount of traffic and noise has really made it difficult to sit and enjoy the outdoors. I do not like to stand in the way of progress, but no consideration was taken for the existing homeowners already dealing with the high speed of traffic heading towards the 180 Fwy. This was all farmland when I purchased my home, now it's a noise haven because of the people traveling to and from the freeway off ramp on Temperance.
4.1 The 9000 acres of farmland will be lost to the developers and contractors working to make a fast buck off of the land that feeds this country. How much of your plan will protect the people in our midst that can't afford homes? How will schools be built and funded? Where are the jobs coming from? All we will have are people interested in investing and making this area another Southern California and don't even live here or will come with their attitudes of big city living. This EIR was not updated. Please stop selling us out. 2

I oppose this plan.

Concerned citizen and homeowner,

Martha Rodriguez Torres
6952 E. Lane Ave. (Assessors parcel: 325 S. Temperance Ave.)
Fresno, CA 93727
mrdzts8591@gmail.com
(209) 604-2804

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## *Martha Rodriguez Torres (RODRIGUEZ-TORRES)*

*Response to RODRIGUEZ-TORRES-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to RODRIGUEZ-TORRES-2*

The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

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*Brian and Candice Ruck*
*1592 N Fancher Avenue, Fresno, Ca 93737*
*3/21/2025*

*City of Fresno Planning and Development Department Sophia Pagoulatos, Planning Manager 2600 Fresno Street, Room 3065 Fresno, CA 93721*
*longrangeplanning@fresno.gov*
*CC:*
*District 1: Annalisa Perea: annalisa.perea@fresno.gov*
*District 2: Mike Karbassi: mike.karbassi@fresno.gov*
*District 3: Miguel Arias: miguel.arias@fresno.gov*
*District 4: Tyler Maxwell: tyler.maxwell@fresno.gov*
*District 5: Special Election on March 18th*
*District 6: Nick Richardson: nick.richardson@fresno.gov*
*District 7: Nelson Esparza: nelson.esparza@fresno.gov*
*City Clerk: Todd Stermer: todd.stermer@fresno.gov*

*Subject: Strong Opposition and Comments on Recirculated Draft Environmental Impact Report (EIR) for the Southeast Development Area (SEDA)*

Dear Ms. Pagoulatos and Fresno City Council Members,

We, Brian and Candice Ruck (the Ruck family), reside within the proposed Southeast Development Area (SEDA), specifically in the proposed "rural cluster" rezoning area. Our property consists of 2.18 acres currently serviced by a private water well and septic system. We strongly oppose this rezoning and submit detailed questions and concerns regarding specific sections of the Recirculated Draft EIR as outlined below:

1

**Section 3.2 Agricultural Resources**

Comment: We strongly oppose any potential restrictions or limitations placed upon our property concerning agricultural activities, water usage, pesticide and herbicide application, and other routine farm operations following rezoning. What authority does the city have to impose such restrictions, and

how will this impact our property rights and ability to pass the land to our children? Furthermore, we oppose any restrictions on farm animals, including pigs, sheep, goats, cows, horses, and chickens, currently permitted under our existing zoning.

1 CONT

**Section 3.18 Utilities and Service Systems**

Comment: We strongly oppose being forced to financially bear the significant costs of transitioning from private water wells and septic systems to city utilities, especially considering our property has two residential units. Please provide documentation supporting cost estimations, clarify whether property taxes will increase to finance these utilities, and disclose plans for funding this massive infrastructure build-out. Additionally, Policy RC-7-b indicates that all customers will be charged the true, full cost of their water supply. Does this mean existing homeowners will be required to immediately pay the full hookup cost to metered city water upon rezoning, and if so, when will this requirement take effect? Are there any financial assistance or phased-in payment plans available to mitigate the impact on property owners? How does the city intend to avoid destroying existing property values with these significant costs?

2

Additionally, we are concerned about potential impacts on trash services, recycling, and compost services. Currently serviced by a 3-yard dumpster, how will these services change, and who will service them once rezoned?

**Section 3.11 Land Use and Planning**

Comment: We strongly oppose rezoning without clear documentation of how it will affect future property rights, zoning restrictions, and property tax implications, especially concerning inheritance by our heirs. Please provide official documentation and policy references for these impacts.

3

**Section 3.1 Aesthetics**

Comment: Given the city's documented inability to enforce existing lighting regulations, we strongly oppose any lighting proposals that will negatively impact our rural atmosphere. What enforceable strategies does the city plan to use? 4

**Sections 3.13 Noise and 3.17 Transportation**

Comment: We strongly oppose the increased noise, traffic congestion, dust, and related disturbances resulting from the project, particularly traffic impacts from the Terry Bradley Education Center. How will the city effectively mitigate these impacts, reduce local road speed limits, and enforce traffic safety? 5

Social Equity and Trails: We strongly oppose plans to build walking and bike trails that cut through our front yard, increasing exposure to vehicle exhaust fumes directly at our front door and affecting many other homes. How does the city justify negatively impacting the health and quality of life of existing residents under the guise of social equity.

**Sections 3.11 Land Use and 3.15 Public Services**

Comment: We strongly oppose the trail system proposed along our property line due to concerns about security, maintenance, and management of homelessness, vandalism, and crime. Given the city's documented challenges with current parks and trails, how will the city address these serious safety concerns? 6

**Section 3.17 Transportation Road and Eminent Domain Concerns**

Comment: We strongly oppose taking parts of our front yard for road expansion. Specifically, how much land will be taken, and what is the projected traffic increase on Fancher Avenue? Additionally, since our property extends to the middle of Fancher Creek Canal, we strongly oppose and will not grant permission to build a trail through our private property. Given that legal easements require voluntary agreement or eminent domain, how does the city intend to justify or proceed with eminent domain without explicit property owner consent? Additionally, how will the legal status of any forced easements change if the property is sold or passed down to our children? 7

**Section 3.15 Public Services**

Comment: We strongly oppose the project moving forward without detailed information on school infrastructure. When will schools be built, and who will pay for their construction and operation? 8

Emergency Services: We strongly oppose proceeding without clarity on the number of fire stations planned, response times, and funding sources for emergency services.

**Sections 3.18 Utilities, 3.17 Transportation Fiscal Responsibility and Infrastructure**

Comment: We strongly oppose forcing residents to bear financial burdens without transparency about spending on city officials, meetings, legal defense, and infrastructure. How will the city support an additional 45,000 homes without exacerbating current utility shortages? 9

**Section 3.11 Land Use Employment and Housing Concerns**

Comment: We strongly oppose rezoning plans that propose fewer jobs than households (.822 jobs per household), leading to increased commuting and traffic impacts. How does the city plan to address this? 10

**Sections 3.2 Agricultural Resources, 3.4 Biological Resources Environmental and Agricultural Impact**

Comment: We strongly oppose converting prime farmland into urban development. What specific agricultural practices will be permitted in proposed buffer zones, and under whose regulatory authority? 11

**Section 3.3 Air Quality Health Impacts and Clean Air Act Compliance**

Comment: Given the EIR explicitly states significant unavoidable air quality impacts, potentially violating compliance with the Clean Air Act, who will be held accountable for the adverse health effects on current residents?

This proposed project represents severe sacrifices, financial burdens, and health risks on existing residents. The current plan contains hundreds of statements outlining ambitious goals and intentions, yet lacks clear explanations on how these will be practically implemented or financed. Our primary question is simple but essential: **How exactly does the city plan to fund the numerous projects and commitments outlined in this extensive 800-page document?** Without a transparent and realistic funding strategy, these promises risk becoming unfunded mandates that significantly burden existing residents. 12

Given Fresno's documented history of questionable and unethical development practices, including investigations into permit approvals and regulatory violations, what assurances can the city provide to protect existing property owners' rights and

investments? Why has the city not prioritized revitalizing and redeveloping existing underutilized or vacant areas within city limits?

12
CONT

Thank you for your attention to our concerns,

Brian Ruck and Candice Ruck

## *Brian and Candice Ruck (RUCK)*

*Response to RUCK-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to RUCK-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

As discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, solid waste collection in the Plan Area would continue as currently planned for City residents, and collection routes would be extended to the Plan Area. Solid waste generation would increase with the buildout of the Specific Plan Area, and thus solid waste collection systems would need to accommodate this increase in demand for service. All new developments would need to abide by the City's Construction and Diversion Ordinance. New developments may also need to create a Waste Management Plan per CALGreen requirements for on-site sorting of construction debris to be submitted to the City for approval. No further response is required.

*Response to RUCK-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on

the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to RUCK-4*
The comment is noted. As described in Section 3.1, Aesthetics, Light, and Glare, of the Recirculated Draft PEIR, the proposed project would include increased development in the Plan Area, leading to increased light from streetlights, exterior lighting from buildings, and vehicle headlights, compared to the current rural and agricultural land uses. Although the proposed project would comply with applicable policies and requirements and implement MM AES-4a through MM AES-4e, which require shields to direct light away from light-sensitive uses and minimize spillover onto adjacent properties, as well as nonreflective building façades, impacts related to light and glare would remain significant and unavoidable. No further response is required.

*Response to RUCK-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Additionally, please refer to the Executive Summary; Section 3.3, Air Quality; Section 3.8, Greenhouse Gas Emissions; Section 3.11, Noise; and Section 3.17, Transportation and Traffic, for a discussion of the mitigation measures that would be implemented by the proposed project. No further response is required.

*Response to RUCK-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on

the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to RUCK-7*
The comment is noted. Please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to RUCK-8*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please also refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

*Response to RUCK-9*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

As discussed in Section 3.18, Utilities and Service Systems, of the Recirculated Draft PEIR, the proposed project would implement MM UTIL-1a through MM UTIL-1f, MM UTIL-2a through MM UTIL-2c, and MM UTIL-4, which would require the City to evaluate utility facilities, capacities, and providers prior to approving discretionary projects associated with the implementation of the proposed project. The Recirculated Draft PEIR determined that impacts related to the need for the construction of new or expanded utilities would be less than significant with mitigation incorporated. No further response is required.

*Response to RUCK-10*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Please also refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to RUCK-11*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Further, as described in Policy CF-2.2 of the proposed SEDA Specific Plan, rural cluster lands can be used for organic small-scale farming, equestrian activities, or other uses compatible with the nearby homes. The vast majority of the land is preserved as viable agricultural land or open space. No further response is required.

*Response to RUCK-12*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-

144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits.

Further, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please also refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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**From:** Susie Rodriguez
**To:** LongRangePlanning
**Subject:** fresno annexation of existing propeties
**Date:** Monday, February 24, 2025 8:27:42 PM

**External Email:** Use caution with links and attachments

i/m a homeowner at 7827 E. Floradora Ave., Fresno, CA 93737. My husband and i moved here in 2015 and not one word mentioned regarding annexation, So we were shocked to hear about this horrible plan for annexation and very unfair. We are both retired and in no way able to afford the outrages mentioned cost to hook up to the city. if Fresno City wants established homeowners to belong to the City, i feel Fresno City needs to pay for all expenses. i understand new development needing to be hooked up to the City, but very unfair for established homeowners to be forced to hook up to the City, we already paid for our water pump and septic tank and having to pay to remove is unfair!!! We chose to live here with our acreage and beautiful trees, now our trees will all die due to lack of water because we will be metered and can't afford to pay outrages prices. Please leave existing properties owners alone, people are going to be forced out of Fresno and less property taxes will be collected. A better solution would be to improve existing unoccupied properties in the City and make Fresno a better place to live!!! it makes sense to leave existing homeowners alone.

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### *Susie Rodriguez (First Letter) (S. RODRIGUEZ 1)*

*Response to S. RODRIGUEZ 1-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

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**From:** Susie Rodriguez
**To:** LongRangePlanning
**Subject:** Re: fresno annexation of existing propeties
**Date:** Tuesday, March 18, 2025 8:08:05 PM

**External Email:** Use caution with links and attachments

On Feb 24, 2025, at 8:27 PM, Susie Rodriguez <susierodriguez48@me.com> wrote:

i'm a homeowner at 7827 E. Floradora Ave., Fresno, CA 93737. My husband and i moved here in 2015 and not one word mentioned regarding annexation, So we were shocked to hear about this horrible plan for annexation and very unfair. We are both retired and in no way able to afford the outrages mentioned cost to hook up to the city. if Fresno City wants established homeowners to belong to the City, i feel Fresno City needs to pay for all expenses. i understand new development needing to be hooked up to the City, but very unfair for established homeowners to be forced to hook up to the City, we already paid for our water pump and septic tank and having to pay to remove is unfair!!! We chose to live here with our acreage and beautiful trees, now our trees will all die due to lack of water because we will be metered and can't afford to pay outrages prices. Please leave existing properties owners alone, people are going to be forced out of Fresno and less property taxes will be collected. A better solution would be to improve existing unoccupied properties in the City and make Fresno a better place to live!!! it makes sense to leave existing homeowners alone. 1

March 18, 2025
i'm resending this e-mail again, because i was told previous letters and e-mails were discarded, not a good idea, property owners concerns should be valid any time. By water being metered with this annexation, property owners could lose all their trees and bushes, etc. with lack of water which will be metered, who can afford to water 2 or more acres and think of the fire hazard it will create. Our beautiful properties will look like abandoned land, we could not even sell our properties and property taxes will go down, not good for Fresno!!! Who would want to buy dried up properties, an eye soar!!! Common sense will tell you this is wrong, wrong, wrong!!! More police and firefighters will be needed to police and put out fires and will probably need a new hospital, we are miles away to the closest hospital. Making a walkway next to the canal is a horrible idea, an accident waiting to happen!!! Fresno should concentrate on abandoned properties in the city limits, townhomes, condos, and houses could be built, water and sewer are already there!!! Make Fresno a beautiful city, not getting rid of historical sites, like the Fresno Courthouse, a huge misstate, lets improve not get rid of!!! There are a lot of abandoned businesses (buildings) in Fresno, why not put the new stores you are talking about so we could shop with more stores to choose from!!! Thank you for your time!!! Pease leave existing homeowners alone!!!

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## *Susie Rodriguez (Second Letter) (S. RODRIGUEZ 2)*

*Response to S. RODRIGUEZ 2-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to S. RODRIGUEZ 2-2*
The comment is noted. Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to S. RODRIGUEZ 2-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to S. RODRIGUEZ 2-4*
The comment is noted. Section 3.15, Public Services, provides a detailed analysis of the need for the construction of new or expanded fire protection or police protection facilities. Implementation of the proposed project would result in an increased demand for fire protection services. The Specific Plan includes a number of proposed policies related to fire protection, including Policy OS-11.2 which requires that fire services are provided in the Plan Area in accordance with the General Plan; and Policy OS-11.3 which requires that the City of Fresno Planning and Development Department

work with the Fire Department as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with the FFD would address design features for safety, siting of fire stations, and facilitation of citizen involvement processes. Implementation of the proposed Specific Plan policies would ensure that fire protection services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to comply with development fees or other funding mechanisms adopted for the proposed project in order to mitigate the impacts on fire protection facilities caused by future development within the City. Payment of the applicable development fees would offset the construction and acquisition costs of required fire facility improvements.

The Specific Plan includes proposed policies related to police protection, including Policy OS-11.1 which requires that police services are provided in the Plan Area in accordance with the policies of the General Plan; and Policy OS-11.3 which requires that the City's Planning and Development Department work with the Police Department as appropriate to promote safe environments throughout the Plan Area and ensure that services can be provided in a manner that is sensitive and responsive to the needs of the community. Coordination with FPD would address design features for safety and crime prevention, siting of police stations, and facilitation of citizen involvement processes. Implementation of these proposed Specific Plan policies would ensure that police services are expanded to meet the needs of the intensified development and population increase in the Plan Area. Additionally, future development within the Plan Area would be required to comply with development fees or other funding mechanisms adopted for the proposed project in order to mitigate the impacts on police protection facilities caused by future development within the City. Payment of the applicable development fees would offset the construction and acquisition costs of required police facility improvements.

Payment of applicable development fees would also offset the construction and acquisition costs of any new or expanded hospital facilities in order to accommodate the proposed project. No further response is required.

*Response to S. RODRIGUEZ 2-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to S. RODRIGUEZ 2-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Susie Rodriguez
**To:** LongRangePlanning
**Subject:** Re: annexation
**Date:** Monday, March 24, 2025 12:04:27 AM

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**External Email:** Use caution with links and attachments

On Mar 23, 2025, at 11:52 PM, Susie Rodriguez <susierodriguez48@me.com> wrote:

3.1 Aesthetics, Light and Glare
Why would we want to look like Los Angeles with the addition of 44,000 new homes, the Valley is known for its beauty

3.2 Agricultural Resources and Forestry Resources
We provide the world with our agriculture products, building homes and eliminating precious land will harm the world. Not to mention the mountains and its precious resources

3.3 Air Quality
More housing and businesses will create more air pollution

3.4 Biological Resources
Natural resources will suffer by taking away farmland, animals and water resources

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3.5 Cultural Resources and Tribel Cultural Resources
We need to keep our Cultural history resources, this is our past and present

3.6 Energy
Use our energy to improve what we already have, new is not always better

3.7 Geology, Soils and Seismicity
We have natural resources, mountains, rivers, lakes and fertile soil to grow our precious crops

3.8 Greenhouse Gas Emissions
More housing and businesses will contribute to greenhouse gases

3.9 Hazards and Hazardous Materials

More construction, bigger chance of more hazardous materials being used and a risk to health, safety and property

3.10 Hydrology and Water Quality

Water quality in the city is awful, existing home owners who have great tasting well water are being asked to hook up with the city, This doesn't make sense!!! 1 CONT

3.11 Land Use and Planning

Land west of Fresno is a better idea for this horrible plan, east side has more farm land, mountains, rivers and lakes

3.12 Mineral Resources

More housing, less mineral resources

3.13 Noise

More houses, more noise WHY???

3.14 Population and Housing

According to the report from one of our property owners, the findings don't justify the new development of 44,000 homes. Within city limits, there are plenty of abandoned houses empty land where new houses, townhomes and condos could be built, water and sewer hookups are already there. 2

3.15 Public Services

Emergency services, local and state services will be less available.

3.16 Recreation

Money could be better spent on existing city recreation projects.

3.17 Transportation and Traffic

Fresno already has horrible traffic problems, adding more housing would only create more congestion. Public transportation is not used often. 3

3.18 Utilities and Service Systems

Would have to build new fire department, hospital and police to accommodate the population growth.

3.19 Wildfires

More population, more fires!!! City wants us to be metered for water, who can afford to water 2 or more acres, we would have to stop watering because of the cost and our properties would look like an abandoned dry land, a huge risk for fire. i feel Fresno city should pay our water bill since they wand us to hook up to meters. I understand new housing being hooked up to the city, but it doesn't make sense to force established retired property owners with acreage to belong to the city. We have wells with great drinking water and our own septic tanks, the city wants us to pay $50,000 to remove our well and $50,000 to remove our septic tanks, city should pay that bill.

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## *Susie Rodriguez (Third Letter) (S. RODRIGUEZ 3)*

*Response to S. RODRIGUEZ 3-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

*Response to S. RODRIGUEZ 3-2*
The comment is noted. Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to S. RODRIGUEZ 3-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please also refer to Master Response 4, Implications of Annexation, in Section 2, Master Responses. Master Response 4 discusses which aspects of annexation are discussed and analyzed in the Recirculated Draft PEIR, including any future annexation requirements and the timeline of annexation. Please note that the City is aware of the requirements in the LAFCO Resolution USOI-144, which explicitly sates these requirements are triggered by annexation into the City. Compliance

with these requirements is underway and will be completed prior to the City seeking annexation of any parcels into City limits. No further response is required.

**From:** Steve Sacks
**To:** LongRangePlanning
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer
**Subject:** SEDA Plan
**Date:** Tuesday, March 11, 2025 4:05:37 PM

**External Email:** Use caution with links and attachments

City of Fresno
Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065
Fresno, California 93721

Ms Pagoulatos

This is to contest the SEDA EIR Report.

In Section 4-2 Growth-inducing Impacts, the revised EIR states: *Based on the average household size in the City of 2.99 persons per household, this anticipated future development could accommodate up to 134,550 residents. The population potential for the Plan Area is within the population growth anticipated by the General Plan, which anticipates growth of up to 226,000 additional residents by 2035, consistent with the proposed project.* This estimate is using obsolete data. The newest data from the California Department of Finance shows from 2025-2035, for the entire county of Fresno, growth at 48,641 with Fresno having 53.6% of the population. That means that the city of Fresno's growth by 2035 is projected to be 26,071. Using the 2.99 figure per household, the projected need is for 8,719 units in Fresno by 2035. This shows no need for the SEDA Project as currently planned at all! 1

I live near Fig Garden Village and there are terrible streets in that area, particularly on Shaw Ave and terrible sidewalks in disrepair on Delno where my daughter's family lives. I would like the city to fix the streets and sidewalks instead of putting our money at risk for SEDA! 2

In the Air Quality Section 3.3.4 is this statement: *The proposed project has the potential to exceed the Valley Air District's significance thresholds during construction and operation. Implementation of the proposed project would result in the generation of substantial long-term* 3

*criteria air pollutant emissions that would exceed the Valley Air District regional significance thresholds and would therefore not be considered consistent with the existing AQPs.*

Fresno currently has some of the worst air quality in the country and Fresno County has the worst air quality of any large county (over 1 million) in the state of California.

3
CONT

Since there is no need for SEDA based on the revised population data and cleaner air is hugely important, we should skip the SEDA Project and put the money that would be spent into serving the needs of all the areas in Fresno that need low-income housing and infrastructure.

Stephen Sacks

## *Stephen Sacks (SACKS)*

*Response to SACKS-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to SACKS-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to SACKS-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Next, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

Additionally, please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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March 24, 2025

City of Fresno Planning and Development Department
Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3065, Fresno California 93721
Email: longrangeplanning@fresno.gov

Re: Comments on Revised Draft Program Environmental Impact Report for Fresno Southeast Development Area (SEDA) Specific Plan Project City of Fresno, Fresno County, California State Clearinghouse Number 2022020486 dated February 7, 2025

Dear Ms. Pagoulatos,

I am submitting the following comments on the Fresno Southeast Development Area (SEDA) Specific Plan project Recirculated Draft EIR (RDEIR).

Comments on Recirculated Draft EIR (RDEIR)

**3.2 - Agricultural Resources and Forestry Resources**

**Policy CF-3.1 Organic and Pesticide-Free Farming.** Promote ecologically sensitive farming methods that are safe for farm workers, consumers, and residents by restricting pesticide use and promoting integrated pest management practices within the SEDA.

Comments**:**

Pesticide Use and Regulation is regulated and monitored by the California Department of Pesticide Regulation.

What law and regulation gives the City of Fresno the authority to restrict pesticide use within SEDA? 1

California Pesticide Law-
Pesticide products include insecticides, herbicides, algicides (such as swimming pool products like chlorine), disinfectants and sanitizers, repellants, rodenticides, and fungicides.

The use of pool chlorine is quite extensive considering the number of pools in the City of Fresno.

Toilet bowl cleaners that claim to sanitize or disinfect are also classified as pesticides.

Pool chlorine for swimming pools and toilet bowl cleaner both have the signal word DANGER.

Signal words are found on pesticide product labels, and they describe the acute (short-term) toxicity of the formulated pesticide product. The signal word can be either: DANGER, WARNING or CAUTION. Products with the DANGER signal word are the most toxic.

If SEDA is planning on restricting pesticide use for farming does SEDA also plan to restrict pesticide use for home owners, renters, or any other persons residing or working in SEDA?

1
CONT

What will SEDA say is organic farming as it may mean different things to different people.

This is the USDA definition of organic:
Produce can be called organic if it's certified to have grown on soil that had no prohibited substances applied for three years prior to harvest. Prohibited substances include most synthetic fertilizers and pesticides.

If the soil history is not known for the last three years the soil will need to be free of prohibited substances before it can be called organic by the USDA definition.

**Policy CF-4.4 Strategic Plan for Agriculture.** Encourage the long-term economic viability of Fresno County agriculture by creating a strategic plan that comprehensively addresses the needs of farmers and farmworkers. The plan should be developed in partnership with the County and private agricultural institutions. The plan should focus on, but is not limited to:

- Develop a pathway for protection of agricultural land at risk of conversion to nonagricultural uses through a review of why and to what extent agricultural land is being converted to other uses.
- Identify how to support agricultural land conservation and what economic, environmental, and public health co-benefits arise from conservation.
- Analyze the existing agricultural land base and its function in the regional food system.

2

- Recognize and protect environmental co-benefits of conserving agricultural lands and analyze how to reduce greenhouse gas emissions.
- Identify the benefit of agricultural land for priority populations such as beginning or Veteran farmers and ranchers; residents of disadvantaged or low-income communities; or California Native American Tribes.

**Comments:**

This Strategic Plan for Agriculture needs to be created and applied to SEDA before SEDA is approved and 6,741 acres of farmland are destroyed in SEDA. According to the Plan Area in the RDEIR there is approximately 2,475 acres of Prime Farmland, approximately 1,352 acres of Farmland of Statewide Importance, approximately 1,189 acres of Farmland of Local Importance, and approximately 1,725 ares of Unique Farmland. Further, the majority of land under Williamson Act Contract in the City and SOI is located in the Plan Area.

The destruction of farmland in SEDA would be significant and non reversible once it occurs. Agricultural Resources Impacts are Not Sufficiently Mitigated. Farmland must be protected and SEDA must account for farmland preservation. 2 CONT

The West Neighborhoods Specific Plan is to be considered for adoption by the Fresno City Council in Summer 2025. The West Neighborhoods Specific Plan encompasses approximately 7,077 acres in the City of Fresno city limits and unincorporated Fresno County. 62.7% of the plan area is already in City of Fresno city limits. Only 37.3% is in unincorporated Fresno County. Acreage of land zoned AL20: Limited Agriculture is 226.26 acres, acreage of land zoned AE20: Exclusive Agriculture is 66.68 acres, for a total of 292.94 acres. 9.96% of the 2,940 acres that is in the unincorporated area of Fresno County and only 4.17% of the total plan acreage of 7,077 acres. Contrast that to SEDA's 6,741 acres of farmland which is 76.60% of SEDA's total plan acreage of 8,800 acres.

The City of Fresno would be better served and farmland preserved by prioritizing the development of the West Neighborhoods Specific Plan. As stated earlier 62.7% of the plan area is already in the City of Fresno city limits and it also has City of Fresno infrastructure already in place.

### 3.3 Air Quality

**Impact AIR-1:** The proposed project would conflict with or obstruct implementation of the applicable air quality plan.

Significant and unavoidable impact.

**Impact AIR-2:** The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or State ambient air quality standard.

Significant and unavoidable impact.
**Impact AIR-3:** The proposed project would expose sensitive receptors to substantial pollutant concentrations.

Significant and unavoidable impact.
**Impact AIR-4:** The proposed project could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Less than significant impact with mitigation incorporated. 3

**Cumulative Impact:** The proposed project would have significant and unavoidable cumulative impacts to air quality.

Significant and unavoidable impact.

**Comments:**

Rankings by American Lung Association rank the air of Fresno-Madera-Hanford area as follows:

Ranked 4th worst for high ozone days out of 228 metropolitan areas.
Ranked 2nd worst for 24-hour particle pollution out of 223 metropolitan areas.
Ranked 3rd worst for annual particle pollution out of 204 metropolitan areas.

The metropolitan areas are from across the United States.

Air quality is a major problem and concern in Fresno and the San Joaquin Valley.

There are serious health and environmental consequences that are not being addressed and need to be addressed in the RDEIR.

3 CONT

**3.8 Greenhouse Gas Emissions**

From Recirculated Draft EIR Executive Summary Matrix:

**Impact GHG-1**: The proposed project would not generate direct and indirect greenhouse gas emissions, **and these emissions would result in a significant impact on the environment.**

**Impact GHG-2**: The proposed project **would not conflict** with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation Measures:
None Required

4

Level of Significance After Mitigation:
N/A

**Cumulative Impact**: The proposed project **would have a less than significant cumulative impact on greenhouse gas emissions.**
Mitigation Measures:
None required

Level of Significance after Mitigation:
N/A

From Recirculated Draft Program EIR: Greenhouse Gas Emissions

Page 3.8-41
**3.8.5 - Project Impacts and Mitigation Measures**

**Impact GHG-1**: The proposed project could generate direct and indirect greenhouse gas emissions, **and these emissions would result in a significant impact on the environment.**

**Impact GHG-2**: The proposed project **could conflict** with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Page 3.8-57
**3.8.6 - Cumulative Impacts**

The geographic scope of the cumulative impact analysis for energy use is the Plan Area and portions of the City of Fresno, City of Clovis, and unincorporated Fresno County adjacent to the Plan Area. This analysis evaluates whether impacts of the proposed project, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to GHG emissions. This analysis then considers whether incremental contribution of the impacts associated with implementation of the proposed project would be significant. Both conditions must apply for cumulative effects to rise to the level of significance. **Based on this analysis, there is a potentially significant cumulative effect resulting from the proposed project.**

4
CONT

As previously discussed, no single land use project could generate enough GHG emissions to noticeably change the global average temperature. **Cumulative GHG emissions, however, contribute to global climate change and its significant adverse environmental impacts.**

The proposed project would be consistent with relevant plans, policies, and regulations associated with GHGs, notably the most recent version 2022 version of ARB's Scoping Plan, as well as the SJCOG's 2022 RTP/SCS and the City's General Plan. The proposed project would not impede upon the State's ability to reach mandated GHG reduction targets in the future and will support State-level efforts to reduce GHG emissions. Therefore, development of the proposed project would have a less than significant cumulative impact relative to this environmental topic. In addition, the implementation of MM AIR-1b, MM AIR-1c, and MM AIR-1d would serve to further reduce GHG emissions along with criteria air pollutants and toxic air contaminants. **Accordingly, impacts related to GHG emissions would result in a less than cumulatively considerable contribution.**

Level of Cumulative Significance Before Mitigation:
Less than significant impact.

Cumulative Mitigation Measures:

None required.

From the 2023 Draft EIR Executive Summary Matrix:

**Impact GHG-1**: The proposed project would generate direct and indirect greenhouse gas emissions, **and these emissions would result in a significant impact on the environment.**

Mitigation Measures:
No feasible mitigation available.

Level of Significance After Mitigation:
Significant and unavoidable impact.

**Impact GHG-2**: The proposed project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

4
CONT

Mitigation Measures:
No feasible mitigation available.

Level of Significance After Mitigation:
Significant and unavoidable impact.

**Cumulative Impact:** The project would have a significant and unavoidable cumulative impact on greenhouse gas emissions.

Mitigation Measures:
None available.

Level of Significance After Mitigation:
Significant and unavoidable impact.

**Comments**:

The RDEIR seems to be inconsistent regarding the findings of **Impact GHG-1** and **Impact GHG-2.** Seems to be differing conclusions between the Recirculated Draft EIR Executive Summary Matrix and the Recirculated Draft Program EIR.

The 2023 Draft EIR concluded the level of significance was significant and unavoidable with no feasible mitigation available.

Was the data altered or different standards used for the 2023 Draft EIR and the 2025 Recirculated Draft EIR?

Common sense says the Level of Significance of Greenhouse Gas Emissions didn't go away since the 2023 Draft EIR and are still significant and have an unavoidable impact and need to be addressed.

4 CONT

**3.14 Population and Housing**

Page 1E-2-11 of the Fresno Multi-Jurisdictional Housing Element / December 2024:

**Sites Inventory**

State law requires that jurisdictions demonstrate in the Housing Element that the land inventory is adequate □□to accommodate that jurisdiction's share of the region's projected growth□□□□□□□□□□□ (RHNA).

Fresno has many vacant residential development opportunities along with underutilized non-vacant sites with redevelopment potential with sufficient capacity to meet and exceed the identified housing need for 2023- 2031**.** The detailed sites inventory is contained in Section 1E-7 (Detailed Sites Inventory Tables), **Table 1E- 7.1** and **Table 1E-7.2**. The opportunities shown in this inventory consist of vacant and non-vacant land in residential, mixed-use sites, and commercial districts that allow residential development. No identified constraints on these sites would prevent development or reuse during the Housing Element period.

5

Page 1E-2-70 of the Fresno Multi-Jurisdictional Housing Element / December 2024:

**RHNA Summary**

**Table 1E-2.15** provides a summary of Fresno'□□□□□□s ability to meet the 2023-2031 RHNA of 36,866 housing units. Within the city limits, available vacant and underutilized sites are adequate to accommodate the RHNA for all income categories. The city has capacity for 18,783 lower-income units, which is 3,459 lower-income units in excess of the lower-income RHNA.

**Comments:**

The Sites Inventory states Fresno has sufficient capacity to meet and exceed the identified housing need for 2023-203. The RHNA Summary shows there is a surplus of 6,834 units for all income levels.

In 2023 the City of Fresno announced the state's $250 million state fund to upgrade the city's downtown. In a Fresnoland article dated May 12, 2023, Mayor Jerry Dyer announced the funding would include $80 million for infrastructure investments that promote building more housing and revitalizing neighborhoods. Mayor Dyer was quoted saying, "The city's goal is to accelerate the building of 10,000 new homes downtown. Great cities, have great downtowns. We can't be a great city, without a great downtown." 5 CONT

Resolution No 2023-292 was passed on November 16, 2023 by the Fresno CIty Council accepting the State funding of $250 million to the City of Fresno

The West Neighborhoods Specific Plan is to be considered for adoption by the Fresno City Council in Summer 2025. The plan has estimated 50,800 new housing units consisting of 28,700 mixed use dwelling units and 22,100 residential dwelling units. The West Neighborhoods Specific Plan encompasses approximately 7,077 acres in the City of Fresno city limits and unincorporated Fresno County. 62.7% of the plan area is already in City of Fresno city limits. Only 37.3% is in unincorporated Fresno County.

The citizens of Fresno and Fresno County would be better served by investing in the city limits of Fresno before they look to annexing 8,800 acres of land in unincorporated Fresno County into the City of Fresno.

**5.2 - Project Objectives**

6

**Fiscal Responsibility**

- Provide self-financing for the development and on going maintenance of the SEDA that does not reduce City of Fresno resources dedicated to other areas of the City or burden Fresno residents outside of the SEDA.

**Comments:**

Until the analysis of infrastructure costs and funding are released to the public, the RDEIR is not complete. Public officials are unable to make an informed decision on the economic costs of the SEDA and the public is unable to comment before the close of the comment period. Estimates for infrastructure costs are upwards of $3-$4 billion dollars.

A public records request was made for the infrastructure costs on March 4, 2025. As of March 21, 2025 the documents have not been released. Fresnoland reporter Gregory Weaver in a March 3, 2025 article reported “Officials have yet to publicly disclose a cost estimate, despite consultants delivering one to City Manager Georgeanne White last December.”

Until the cost estimate is released and the public is able to make comments the comment period for the RDEIR should be extended 30 days from the release of the cost estimate of infrastructure to the public.

6
CONT

As reported in a Fresnoland article dated February 21, 2025, the City of Fresno is facing a projected budget deficit of at least $20 million. One potential strategy could be raising taxes on Fresno residents.

Officials with the Sanger School District have estimated Sanger would need to add 16 schools to handle the anticipated school age population. Money that they say they don’t have.

SEDA will also put an enormous financial burden on property owners of parcels zoned Rural Residential or Rural Cluster Residential for mandatory sewer and water connections required by the City of Fresno. Minimum estimates are $50,000 for sewer connection and $50,000 for water connection.
Fiscal responsibility of SEDA cannot be determined until the costs and funding of SEDA is released. Without that information the RDEIR is incomplete and the City of Fresno approval of the RDEIR should not even be considered.

Your consideration of the comments is appreciated.

Sincerely,

Elizabeth Sandberg
SEDA area property owner
Member Southeast Property Owner's Association
sshannah54@gmail.com

cc:
District 1: Annalisa Perea: annalisa.perea@fresno.gov
District 2: Mike Karbassi: mike.karbassi@fresno.gov
District 3: Miguel Arias: miguel.arias@fresno.gov
District 4: Tyler Maxwell: tyler.maxwell@fresno.gov
District 5: Special Election on March 18th
District 6: Nick Richardson: nick.richardson@fresno.gov
District 7: Nelson Esparza: nelson.esparza@fresno.gov
City Clerk: Todd Stermer: todd.stermer@fresno.gov
Mayor Jerry Dyer: jerry.dyer@fresno.gov

6
CONT

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## *Elizabeth Sandberg (SANDBERG)*

*Response to SANDBERG-1*
The comment is noted. As discussed in Section 3.9, Hazards and Hazardous Materials, the use of pesticides is regulated under FIFRA. The Specific Plan contains proposed policies that would further minimize risk of contamination from pesticides. For example, Policy RC-5.2 aims to prevent contamination of the groundwater table and surface water resources and discourage all pesticide use for agricultural and landscaping uses within SEDA through the use of signage, provision of pollution prevention information to SEDA residents and remediation actions. Additionally, project-specific pesticide use would be evaluated at the time of the project-specific CEQA analysis.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No environmental issues are raised, and no response is required.

*Response to SANDBERG-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to SANDBERG-3*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to SANDBERG-4*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

As discussed in Section 3.8, Greenhouse Emissions, of the Recirculated Draft PEIR, the City utilizes the criteria in the CEQA Guidelines Appendix G Environmental Checklist to determine whether

greenhouse emissions impacts are significant environmental effects. The vast majority of individual projects do not generate sufficient GHG emissions to create a project specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined in the CEQA Guidelines, Section 15355, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG Reduction Plan (such as a CAP).

The City of Fresno developed its first GHG Plan in 2014, which includes GHG reduction targets and emissions inventories for the years 2020 and 2035. An updated GHG Plan (the GHG Plan Update) was adopted on September 30, 2021, pursuant to a certified General Plan Program EIR (State Clearinghouse Number 2019050005). However, in 2024, following a legal challenge, the 5th District Appellate Court rejected the City's PEIR and GHG Plan Update. Both were rescinded pursuant to a Court order. The City's previously adopted GHG Reduction Plan (2014) has not been the subject of a legal challenge and has not been invalidated by the court. As stated, the 2014 GHG Reduction Plan includes reduction targets for 2035; however, the full 25 year buildout of the proposed project goes beyond the year 2035 and is anticipated to be fully operational in the year 2050. Therefore, this analysis evaluates the consistency of the proposed project with ARB's latest 2022 Scoping Plan, including the proposed project's consistency with relevant Scoping Plan measures and the latest RTP/SCS for the region within which the Plan is located. The 2022 Scoping Plan is consistent with the State's longer-term AB 1279 GHG reduction targets of achieving carbon neutrality by 2045 and reducing GHG emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the 2022 Scoping Plan would also demonstrate consistency with the State's long-term GHG reduction targets encapsulated by AB 1279.

The analysis contained within Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR provides a qualitative assessment of the proposed project's compliance with the applicable plans, policies and regulations for the purposes of reducing GHG emissions to determine whether the proposed project would have a significant impact on the environment relative to GHGs.

As such, while the previously circulated Draft PEIR determined that impacts related to GHG emissions would be significant and unavoidable when evaluated against the City's now decertified GHG Plan Update, the Recirculated Draft PEIR determined that impacts related to GHG emissions would be less than significant when evaluated for consistency with the 2022 Scoping Plan and the latest RTP/SCS for the region.

Furthermore, the Executive Summary and Section 3.8, Greenhouse Gas Emissions, have been edited in Section 4, Errata, of this document to clarify the impact findings.

The comment does not identify a legitimate basis for recirculation, and as such, no further response is required.

*Response to SANDBERG-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan.

Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to SANDBERG-6*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, future development within the Plan Area would be required to comply with applicable school development fees in order to mitigate the impacts on school facilities caused by future development within the City. Payment of applicable development fees would offset the construction and acquisition costs of required school facility improvements and additional staff to meet acceptable service levels. The provisions in Government Code Section 65996, which require developers to pay developer fees to the applicable school district, are deemed to provide full and complete school facilities mitigation related to the school district's ability to accommodate enrollment. With payment of applicable developer fees, impacts on school facilities related to the proposed project would be mitigated to less than significant levels. No further response is required.

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**From:** Eric Schmidt
**To:** LongRangePlanning
**Subject:** SEDA opposition
**Date:** Wednesday, March 5, 2025 5:49:49 AM

**External Email:** Use caution with links and attachments

To City of Fresno,

I want to voice my opposition to the SEDA project, once called SEGA. Renaming to sound better (development) over (growth) is all smoke and mirrors. This project is very selfish by the city of Fresno to do nothing but a land grab. It still will not provide the money needed for City economics. There are ways to do infill around some projects such as Sanger West High School and Clovis South High School. 1

The biggest things in my mind are the land, water and air pollution. Pouring concrete over the most fertile soils in the world is the idea I have seen from the city of Fresno over the years. You will never get that back.

The eastern edge of Fresno County is actually one of the most fertile and one with water. This does make it attractive for the city but at the cost of economics. 2

This is nothing but money/land grab for taxes the city wants for its unbalanced budgets in the coming years. Go after something else. Leave this area alone.

I farm in this area and DO NOT support this project. There are other ways.

Thank you - Concerned Farmer

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## *Eric Schmidt (SCHMIDT)*

*Response to SCHMIDT-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to SCHMIDT-2*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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Hello Fresno City officials,

I am a homeowner in Fresno's Historic Huntington District. My kids go to school at Jackson Elementary. I am an associate professor of biology at Fresno Pacific University. Every day, I bike 3 miles to work through south Fresno.

I, along with the Jackson Neighborhood Association, oppose SEDA (Southeast Development Area Specific Plan) because it would take money away from maintenance of our existing streets and facilities, and instead SEDA would cause urban sprawl. I want Fresno to move toward healthier and less carbon intensive living, and restricting sprawl is an important way to lower the average fuel burn of residents of our city. We need to improve our existing business districts, parks, and roads rather than build sprawling new ones.

1

Respectfully, Dr. Andrew Sensenig, 3551 E Kerckhoff Av. , Fresno, CA, 93702, cell phone 240-320-7282, email: andrew.sensenig@fresno.edu

Date: March 23, 2025.

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## *Andrew Sensenig (SENSENIG)*

*Response to SENSENIG-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

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**From:** Shelly Spencer
**To:** LongRangePlanning; District5
**Cc:** Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nelson Esparza; Nick Richardson; Sarah Boren; Georgeanne White; Jennifer Clark; Andrew Janz; District1; District2; District3; District7; District6; District4; Jerry Dyer
**Subject:** Concerns about SEDA Southeast Area Specific Plan
**Date:** Monday, March 24, 2025 4:32:24 PM

**External Email:** Use caution with links and attachments

I am writing with concerns about the Southeast development Area Specific Plan. Although the City is doing its best to maintain and improve Southeast Fresno, sprawling out further will just stretch budgets & staff time too thin to be able to give attention to what already needs to be done!

Just a quick assessment of my neighborhood - within half of a mile of my house - shows:
Road and sidewalk repairs needed (photos)
Stoplight still not finished by Farber (photo)
Empty Lots / Unused buildings to be developed / cleaned / followed up on (multiple photos)
Likely Lead pipes in city water supply in our neighborhood (a letter from the city said this is TBA???)
More police staffing to prevent / follow up on property damage (photo)

I also work in southeast Fresno. There have been numerous HVAC thefts at businesses and churches. The officer who followed up on my report - two months later - said that their backlog of reports is MONTHS long. They can't follow up on crime reports or connect possible evidence quickly enough to prevent recurring thefts! The budget doesn't enough staffing focused on this; they are dependent on the rotation of the officers on injury though this department. 1

The bottom line: if a new development goes in, it will reduce city funds for existing neighborhoods that need attention. A new development might seem attractive initially but the problems that are happening will just sprawl there and then there will be an even larger problem to tackle than we have now!

Again, I appreciate the efforts the city makes to respond to Fresno GO reports and to respond to police reports, but the backlog of work still needing attention, and delays in some services seem that CEDA as it currently is envisioned is not good for southeast Fresno.

Thank you.

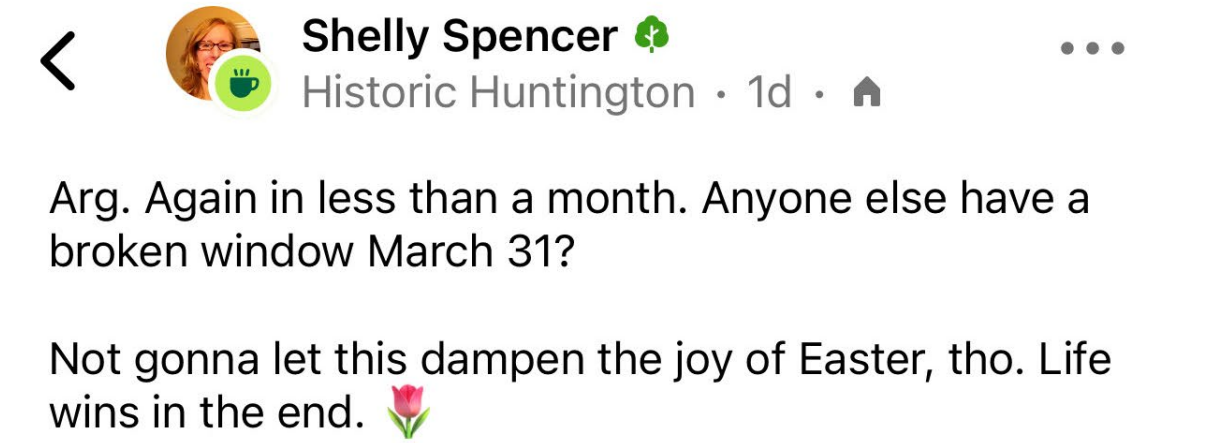
Shelly Spencer
District 5 resident
3620 E. Kerckhoff Ave
559-425-6726

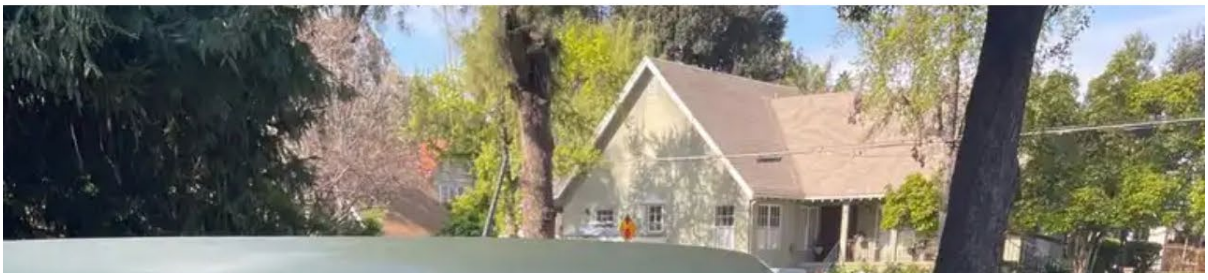
Stoplight still not finished by Farber



1
CONT

Police staffing needed - we've had 3 broken windows within a year...one was on Easter morning and one on Christmas morning. Arg!





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FAST AUTO LOANS
Endorsed by Fresno Police Officers & Firefighters
ELIZABETH
JONASSON
for FRESNO CITY COUNCIL
Proven Leadership For Southeast Fresno
Paul W. Condon
CALIFORNIA PENAL CODE


AVAILABLE
559.432.6200
Daniel Simon


Orang
Sixth St
NEXT SIGN


FOR SALE
3630

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## *Shelly Spencer (SPENCER)*

*Response to SPENCER-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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|---|---|
| **From:** | Sharon Bell Stevens |
| **To:** | LongRangePlanning |
| **Cc:** | Annalisa Perea; Mike Karbassi; Miguel Arias; Tyler Maxwell; Nick Richardson; Nelson Esparza; Todd Stermer |
| **Subject:** | Concerns About the SEDA Recirculated EIR |
| **Date:** | Friday, March 21, 2025 6:48:00 PM |

**External Email:** Use caution with links and attachments

David C. Stevens and
Sharon Bell Stevens
2672 E. Alluvial Ave
Fresno, CA 93720
wgnbd123.sbs@gmail.com
March 21,2025

City of Fresno
Planning and Development Department
Attn.: Sophia Pagoulatos, Planning Manager

I'm writing to express my concerns about the SEDA Recirculated Environmental Impact Report (EIR) Below are just a few of the key areas that I find alarming:

3.17 Transportation & Traffic
"Per the Recirculated EIR" recommends that a peak -hour ramp queue be completed at each of the recommended SR 180 intersections and that all future development under the proposed project should conduct a Vehicle Miles Traveled (VMT) analysis. Recommends that the City 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. • Support of active transportation plans and smart growth efforts that aid the State's 2050 Climate goals. • Requests early engagement on all future development under the proposed project that could affect the State right-of-way. • Recommends that a Traffic Impact Study be prepared. •

1

Until the recommendations are complied with the cost of the proposed infrastructure cannot be determined. Before I buy anything, I know the price of the item being purchased. I expect the City of Fresno to know the price tag before agreeing to indebting the citizens of Fresno to this unnecessary project.

How is the proposed infrastructure to be paid for when the city is already facing a deficit budget?

3.15 Public Services
Schools. The project area will be served by Sanger Unified School District and Clovis Unified

School District. Sanger Unified has already publicly declared they have no financial ability to build the schools for the projections for substantial student population growth by 2035. Development impact fees will be insufficient to fund new or expanded school facilities. Each section of 3.15 Public Services (Fire Protection, Law enforcement, Emergency Medical Services, Parks) emphasizes the importance of development impact fees to address the growing demand for municipal services and infrastructure in the project. These fees are projected to be insufficient to cover the cost of new school facilities in the Fresno Southeast Development Area (SEDA). Ultimately, the taxpayers of Fresno will be burdened with covering the cost of funding these necessary Public Services due to the lack of careful planning and equitable implementation.

1
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3.3.4 Air Quality
Fresno already has some of the worst air quality in the nation, and the SEDA plan admits it will create high levels of pollution.
My husband and daughter have developed asthma since moving to the Fresno area. We do not need to lead in the category of highest asthma rate in the nation also.

2

invest in Fresno's Existing Communities.
I volunteer at a food pantry near Fulton and Divisadero Streets where homelessness is evident. I would like to see the city build shelters for the unhoused instead of putting our money at risk for the SEDA Plan.
Updating our city sewer and water system and providing affordable housing in existing neighborhoods should be the priority of the City of Fresno rather than expanding as suggested by the SEDA Plan.

3

Sincerely,

David C. Stevens
and
Sharon Bell Stevens
wgnbd123.sbs@gmail.com
1(559) 871-1455

## *David and Sharon Bell Stevens (STEVENS)*

*Response to STEVENS-1*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to STEVENS-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to STEVENS-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Laurie Tidyman-Jones
**To:** LongRangePlanning
**Subject:** SEDA
**Date:** Wednesday, March 12, 2025 7:29:16 AM

**External Email:** Use caution with links and attachments

According to the Fresno city planning Department, Tanning is to reflect citizens and that we are to receive a red carpet invite for input and change

Is that why 400 letters of concern about Seda were tossed? 1

Is it that why the demanded Revised EIR report is just a push for the project with the same illogical Assumptions based on inaccurate data? 2

Is that why it is attempting to avoid costly mitigation for the massive development's environmental impacts, particularly regarding greenhouse gas emissions and vehicle miles traveled (VMT)? This affects every single citizen!

("According to city documents, SEDA would increase Fresno's annual carbon emissions by approximately 500,000 tons – effectively wiping out the city's progress on climate goals for the next two decades. The project's estimated emissions could carry a hefty $25.5 million annual price tag to clean up emissions, according to standard federal accounting measures.") 3

Is that whyFresno officials are making an extraordinary claim: due to the area's planned 1-to-1 jobs-to-housing ratio, residents in this car-dependent suburban development will drive over 80% less than standard planning models predict — somehow making them even less car-dependent than downtown San Franciscans, according to official data from the state's air resources board, and even New Yorkers"?

Is that why A plan that would cost one to $3 billion in infrastructure is more important to you than enhancing and taking care of a city that is already 22 million in the hole? Is this a red carpet two people already living in Fresno and the house? 4

I worked at Reedley College for 16 years and Family lived in Sanger for 30 years. I know that area pretty well. The audacity to suggest that all those people in those 45,000 homes are going to be working in that area is absurd. Employment there is extremely challenging and there are no new mega businesses that would hire all those high-end salary expecting folks. 5

SEDA is bad for South east Fresno, bad for the county and bad for current residents of Fresno. It is only a good plan for developers and the planning commission needs to not be representing them as it appears they are! 6

Sincerely,
Laurie Tidyman-Jones
423 E. Muncie Ave.
Fresno, CA 93720
5592813588

## *Laurie Tidyman-Jones (TIDYMAN-JONES)*

*Response to TIDYMAN-JONES-1*
The comment is noted. Please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to TIDYMAN-JONES-2*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to TIDYMAN-JONES-3*
The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR.

Additionally, as detailed in Section 3.8, Greenhouse Gas Emissions, of the Recirculated Draft PEIR, while implementation of the proposed project would generate an increase in GHG emissions, its guiding principles, design guidelines, and proposed land use designations for the Plan Area would contribute to minimizing emissions on a per capita basis to the extent feasible. Guiding principles and objectives of the proposed project include providing for a balanced mix of uses, boosting the economy, and promoting sustainable development. Additionally, objectives of the proposed project include encouraging a balanced mix of uses and promoting development that reduces VMT and encourages active transportation. Applicable General Plan policies support the installation of electric infrastructure to support electric vehicles at residential, commercial, and industrial land uses. Future developments consistent with the proposed project would be subject to myriad State regulations that will reduce emissions from project construction and operation, including Title 24 and CALGreen standards and the California Code of Regulations, which the City has adopted, as well as the California Energy Code, the Model Water Efficient Landscaping Ordinance, and State regulations on refrigerants and consumer products. In addition, as detailed in the Regulatory section, GHG emissions from mobile sources would be reduced by State regulations, including the Low Carbon Fuel Standard, the Pavley Standard, the Advanced Clean Car and Zero-Emission Vehicle (ZEV) programs, and the Heavy-Duty Vehicle GHG Emission Reduction Regulation. No further response is required.

*Response to TIDYMAN-JONES-4*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR. No further response is required.

*Response to TIDYMAN-JONES-5*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR.

The comment is noted. Please refer to Master Response 11, Clarifying Information on VMT Projections, in Section 2, Master Responses. Master Response 11 provides additional clarifying information on the VMT projections and findings included within the PEIR. No further response is required.

*Response to TIDYMAN-JONES-6*
The comment is noted. Please refer to Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 2 provides a response to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

**From:** Sarah Valentine
**To:** LongRangePlanning
**Subject:** Protect Fresno's Future: Stop SEDA Now
**Date:** Monday, March 24, 2025 4:43:56 PM

**External Email:** Use caution with links and attachments

To Whom It May Concern,

I hope this email finds you well. Today, I come to you wearing many hats—those of a wife, a mother, a nonprofit worker in my neighborhood, and a parent advocate for my children's elementary school. These roles allow me to see Fresno through many lenses, and I am compelled to speak out because I am tired of seeing the challenges we face every day.

The Southeast Development Area (SEDA) Specific Plan proposes adding 9,000 acres of urban sprawl to Fresno, a move that will have long-lasting consequences for our community. This plan will divert resources away from existing neighborhoods that desperately need attention, such as the Jackson and Historic Huntington neighborhoods.

These areas are already grappling with significant challenges, including high crime rates that threaten the safety and well-being of residents. Reports of property crimes, vandalism, and even violent incidents are far too common. Families in these neighborhoods live with the daily reality of unsafe streets, inadequate lighting, and a lack of resources to address these issues. Expanding into new areas while neglecting these pressing concerns is not only irresponsible but also unjust.

Instead of expanding, Fresno should prioritize fixing the problems in the areas we have already developed. Our community deserves better. Generations are depending on us to address the pressing needs in established neighborhoods before considering expansion.

We cannot afford to let this plan move forward while our existing neighborhoods remain neglected. It's time to put voters first and prioritize the needs of our community. Let's work together to ensure a better future for Fresno.

Thank you for your attention to this critical matter. Please feel free to reach out if

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you have any questions or would like to get involved further.

Best regards,
Sarah Valentine
Mom, Wife, Program Manager (Jackson CDC) & Jackson Elementary parent advocate
Cell# 559-725-0793
Email: svalentine821@gmail.com

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## *Sara Valentine (VALENTINE)*

*Response to VALENTINE-1*

The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**From:** Daniel Vartan
**To:** LongRangePlanning
**Subject:** Support for SEDA plan
**Date:** Sunday, March 16, 2025 12:52:15 PM

External Email: Use caution with links and attachments

To Whom it May Concern,
I'm writing to voice my support for the current SEDA plan. The area it encompasses would make a great addition to the city if developed well and to high standards. Fresno has a lot to offer for people from other parts of the state who are looking for safe, clean, and reasonably affordable neighborhoods to raise families, but we have to provide them. I hope the City staff persists in pursuing approval of this plan. Thank you,
Daniel Vartan
Citizen
Sent from my iPhone

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## *Daniel Vartan (VARTAN)*

*Response to VARTAN-1*

The comment is noted. This comment has been passed to the Lead Agency for their review and consideration of the proposed project as a whole. However, no environmental issues pursuant to CEQA are raised, and no response is required.

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**From:** Wes Bigham
**To:** LongRangePlanning
**Subject:** SEDA EIR
**Date:** Monday, March 24, 2025 4:36:56 PM

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**External Email:** Use caution with links and attachments

EIR 3.2 AGRICULTURAL RESOURCES : FARMLAND IS THE BACKBONE OF FRESNO,CO. THE SOUTHEAST AREA IS PRIME LAND. HOW DOES THE CITY PLAN TO REPLACE THIS LAND. 1

EIR 3.3 AIR QUALITY:HOW WILL THE INCREASE IN TRAFFIC AND CONSTRUCTION IMPACT THE AIR QUALITY AND HEALTH OF THE PUBLIC 2

EIR 3.10 WATER QUALITY: WATER IS A COMMODITY IN THIS VALLEY. THIS PROJECT WILL CAUSE THE WATER TO DROP IN THE SEDA AREA.WHAT IS THE CITIES PLAN FOR THIS PROBLEM. 3

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## *Wes Bigham (W. BIGHAM)*

*Response to W. BIGHAM-1*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR.

Additionally, please refer to Master Response 10, Clarifying Information on Agricultural Resources, in Section 2, Master Responses. Master Response 10 elaborates on the methodology used in Section 3.2, Agricultural Resources and Forestry Resources, of the Recirculated Draft PEIR. No further response is required.

*Response to W. BIGHAM-2*
The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

*Response to W. BIGHAM-3*
The comment is noted. Please refer to Master Response 8, Clarifying Information on Water Supply and Water Quality, in Section 2, Master Responses. Master Response 8 further elaborates on the availability of water supply and potential impacts to water quality in the Plan Area as a result of the implementation of the proposed project. No further response is required.

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**From:** Randy White
**To:** LongRangePlanning
**Subject:** We oppose SEDA
**Date:** Monday, March 24, 2025 8:46:34 AM

**External Email:** Use caution with links and attachments

To Whom it may concern,

My wife and I are retired and live in the Jackson Neighborhood (near Jackson Elementary). We are invested in our community and local school. We are deeply concerned about the proposed SEDA development. Here are our concerns: 1

1. This massive investment in housing is based on old city growth data. Current growth is far below the growth of 15 years ago, the data of which is being used in the justification of SEDA. A development of this size is not necessary.
2. It will further sprawl in our city, which not only eats up more land, but over-taxes our city resources for water, fire, police, recreation, etc. 2
3. It reduces the incentive to do in-fill housing, which we need in the core of our city.
4. And just as important, it reduces the financial resources available for the maintenance and repair of our current neighborhoods, including the Jackson Neighborhood where we live. This neighborhood, like many others in our urban core, has been neglected. The streets and alleys need repair, the trees trimmed, the local greenspace needs development, and better maintenance. 3

We urge the city to reconsider this massive development.

Sincerely,

Randall & Tina White
3635 E Kerckhoff Ave
Fresno, CA 93701
559.285.9206

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## *Randall and Tina White (WHITE)*

*Response to WHITE-1*
The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR. No further response is required.

*Response to WHITE-2*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis. No further response is required.

*Response to WHITE-3*
The comment is noted. Please refer to Master Response 1, Non-CEQA Issues Not Addressed in Final PEIR, and Master Response 2, General Opposition Comments Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. These master responses provide additional information on the scope of CEQA, including any non-CEQA issues, and respond to comments that express general opposition to or disapproval of the proposed project or the environmental analysis.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

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**COMMENTS ON THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**
**FRESNO SOUTHEAST DEVELOPMENT AREA SPECIFIC PLAN PROJECT**
CITY OF FRESNO, FRESNO COUNTY, CA
State Clearinghouse Number 2022020486

AUGUST 27, 2023
Submitted by Email and USPS to
City of Fresno
Jennifer Clark, Director
Planning & Development Dept.
2600 Fresno Street, Third Floor, Room 3065
Fresno, CA 93721
Jennifer.Clark@fresno.gov

RESUBMITTED MARCH 19, 2025
by email to longrangeplanning@fresno.gov
c/o Sophia Pagoulatos, Planning Manager

Submitted by

VICTORIA Y. YOKOYAMA
8507 E OLIVE AVE
FRESNO, CA 93737

**History**

The author purchased a five-acre parcel in Southeast Fresno in 1994 from a well-known African American farmer, built a home on the lot in 1997, and moved to Southeast Fresno from northern Clovis. The author and family have enjoyed the benefits of a Southeast Fresno rural life style by living in the Rural Residential zone for more than 30 years. The author's land is bordered on the south side by Fancher Creek Canal, and the author has been a conservationist in protecting the wildlife associated with the natural waterway. In 2001, the author objected to the proposed construction of a linear park on the Fancher Creek Canal ditch bank. In 2008, the original SEGA plan included the linear park. The SEGA plan then made an abrupt transition to the SEDA Plan in 2022. The issuance of the SEDA plan EIR was then announced in 2023 without adequate public warning to impacted property owners, and members of the public. 1

In 2025, the City of Fresno created confusion by resubmitted the 2023 EIR to select individuals as a modified document. Those who responded to the 2023 EIR were not specifically informed by the city that 2023 public comments would be eliminated unless resubmitted by March 24. Thereby, city government has effectively diminished public involvement in the SEDA Plan.

**Comments on SEDA EIR:**

**A. Environmental Setting 3.4.2** 2

Plants and Animals Have No Voice, and Are Heard Through Those Who Know They are There.

The EIR fails to identify the significant negative impact on biological resources in the SEDA specific plan. The EIR fails to identify the ecological damage caused by building a Neighborhood Town Center in the center of a SEDA block of Rural Residential zoned land bordered by E McKinley Ave on the north, N Fancher Ave on the east, E Tulare Ave on the south, and DeWolf Ave on the west. This block of land is now referred to as McKinley x Fancher x Tulare x DeWolf (MFTD), and the biological resources in this area have been documented by the author. The primary features of the MFTD include the natural waterway of Fancher Creek Canal, an established community of homes on small to medium acreage parcels, a horticultural nursery, and a golf course (Exhibits 1-1 and 2-2). The MFTD is only about a tenth of the land that comprises the urban growth area in the SEDA specific plan, and serves as an example of the detrimental effects of urban development on wildlife, species diversity, and environmental habitat. Under the SEDA specific plan, agricultural farmlands and rural residential areas will suffer from unrecoverable losses of biodiversity, and abundance of animal and plant life through habitat destruction. The SEDA plan EIR fails to identify future ecological decline in the region, loss of community, and quality of life. 2 CONT

**1.** Disagree with Table ES-1: Executive Summary Matrix; Section 3.4 – Biological Resources. No mitigation measures are proposed for Impact BIO-1, 2, 3, 4, and 5. MFTD includes legally protected and sensitive species of environmental concern, riparian habitat, wetlands, native resident species, and tree preservation measures.

**2.** Disagree with Exhibit 3.4-1. The Fancher Creek Canal lacustrine and riverine land cover types and vegetation communities are omitted in part in the MFTD. Exhibit 3.4-1 shows lacustrine, pasture, and private ponds on the southern border of the Neighborhood Town Center in the middle of the MFTD. The riverine habitat must be included from this location northeast to the eastern boundary of the SEDA. 3

**3.** Disagree with Table 3.4-3. Rural and existing urban vegetation provides good habitat for special-status species such as the San Joaquin Kit fox (Cypher and Van Horn Job, 2012) and Monarch butterflies. Pasture provides food for wildlife herbivores including birds and rodents, and prey for carnivores including foxes and raptors. Rural and urban gardens provide habitat for Monarch butterflies (Cutting and Tallamy 2015), bees and other pollinators.

**4.** Disagree with Table 3.4-5: Special-status Wildlife Species within the Plan Area, and disagree with two text boxes in Exhibit 3.4-2 that reiterate information in Table 3.4-5 and Appendix C. Additional special species with imperiled status known to in occur in MFTD from the California Natural Diversity Database (CNDDB) (2023) must be added to Table 3.4-5 as follows: 4

Fisher (Pekania pennanti) Comments – Observed 2013.

Bald eagle (*Haliaeetus leucocephalus*) Comments – Observed 2021 and a feature the ecological community (Snell Taylor et al. 2018).

Monarch (*Danaus plexippus plexippus*) Comments – Observed and Resident population (Davis 2021).

Cooper's hawk (*Accipiter cooperii*) Comments – Annual Nesting Pairs Observed.

Gilded flicker (*Colaptes chrysoides*) Comments – Annual Nesting Pairs Observed.

Western pond turtle (*Emys marmorata*) Comments – Observed egg laying near Fancher Creek Canal in the MFTD.

Great blue heron (*Ardea herodias*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Great egret (*Ardea alba*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Snowy egret (*Egretta thula*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018). 4 CONT

**5.** Disagree with Exhibit 3.4-2. The distribution of the San Joaquin kit fox, *Vulpes macrotis mutica*, is shown in a red circle limited to Sanger. The northern distribution of the San Joaquin kit fox into the MFTD is not addressed in the EIR. Movement of San Joaquin kit foxes into rural and urban populations has helped prevent its extinction (Cypher and Van Horn Job, 2012).

**6.** Disagree with Exhibit 3.4-2. Swainson's hawk, *Buteo swainsoni*, must be added inside the same red circle around the MFTD as the western yellow-billed cuckoo, *Coccyzus americanus occidentalis*. Nesting pairs of Swainson's hawks are found in the MFTD.

**7.** Disagree with Exhibit 3.4-2. The distribution of least Bell's vireo, *Vireo bellii pusillu*, would not be limited to the red circles around Tarpey Village, and Clovis, but would be found across the SEDA.

**8.** Disagree with Wetlands and Waters of the U.S. and State. Fancher Creek Canal provides unlimited opportunities for both vegetation and wildlife and is not a limited resource as described. Fancher Creek Canal is a natural waterway originating from the Kings River, and is the dominant natural feature in MFTD. 5

**a.** The EIR fails to identify that the SEDA is located near the Kings River. The EIR states that the plan is not located near the San Joaquin River. 6

**b.** The EIR fails to identify the negative impact on the fish species that are found in the natural waterway of the Fancher Creek Canal (University California 2014) and the fact that some fish are California native species. 7

**c.** The EIR fails to identify the negative impact of developed open space designated for a linear park on the Fancher Creek Canal Bank (Exhibit 3.11-1). The Fresno Irrigation District has stated opposition to using its canals as urban trails (Fresno Irrigation District 2020). Any disturbance or human activity on the Fancher Creek Canal bank will disrupt the fragile environmental habitat which now supports a diversity of animal and plant life including protected species. 8

**9.** Disagree with Wildlife Movement Corridor statement that SEDA would not be expected to substantially degrade the existing conditions. The SEDA will substantially degrade existing conditions for native resident and migratory fish, wildlife species, wildlife corridors, and nursery sites in the MFTD. The natural stream bed of the Fancher Creek Canal flows with water throughout the year and is the habitat for fish including trout, ducks, frogs, toads, muskrats, weasels, and many aquatic insects including damselflies, dragonflies, and mayflies. The banks of Fancher Creek Canal are lined with established trees including native oaks that provide habitat for birds including raptors, mammals including foxes, racoons, rodents, amphibians, and reptiles including snakes and lizards.

**a.** The EIR fails to identify the California Department of Fish and Game agreement with the Fresno Metropolitan Flood Control District in preservation and management of wildlife habitats along Fancher Creek (Fresno Metropolitan Flood Control District 2003).

**b.** The EIR fails to identify the negative impact on birds in the SEDA (Fresno Audubon Society 2019) and those species associated with the Fancher Creek Canal habitat.

**i.** Raptors found in the MFTD that are protected under the California Department of Fish and Game Code, Sections 3503, 3503.5, 3505 and 3513, and California Code of Regulation, Title 14, Sections 251.1, 652 and 783-786.6 are as follows:

9

Red-tailed hawk (*Buteo jamaicensis*) Comments – Annual Nesting Pairs Observed.

Great-horned owl (*Bubo virginianus*) Comments – Observed and Nesting Pairs Highly Likely.

Barn owl (*Tyto alba*) Comments – Observed and Nesting Pairs Highly Likely.

Turkey vulture (*Cathartes aura*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

Red-Shouldered hawk (*Buteo lineatus*) Comments – Observed and a feature of the ecological community (Snell Taylor et al. 2018).

**ii.** Established populations of the California State Bird are found in the MFTD.

California quail (*Callipepla Californica*) Comments – Annual Nesting Pairs Observed.

**iii.** Species of birds found in the MFTD protected under the Migratory Bird Treaty Act (U. S. Fish and Wildlife Service 2023) include the following:

Wood duck (*Aix sponsa*) Comments – Annual Nesting Pairs Observed.

Mallard duck (*Anas platyrhynchos*) Comments – Annual Nesting Pairs Observed.

Swift sp. Comments – Annual Nesting Populations under Fancher Creek Canal bridges Observed.

Others species of protected birds observed include, but are not limited to the following:

Canada goose, Common merganser, Double crested cormorant, White tailed kite, Killdeer, California gull, Mourning dove, Bell's Vireo, Black phoebe, American pipet, many Warbler spp., White crowned sparrow, many Sparrow spp., Spotted towhee, Ruby-crowned Kinglet, Bushtit, Dark eyed junco, Brewer's blackbird, American Robin, Northern mockingbird, Woodpecker sp., Sapsucker sp., Magpie sp., Oak titmouse, Blue-gray gnat catcher, Western bluebird, House finch, Lesser goldfinch, Belted kingfisher, Black-headed grosbeak and more. 9 CONT

**c.** The EIR fails to identify the negative impact on biodiversity in the SEDA. Small diversified farms in the MFTD grow specialty and vegetable crops, and raise farm animals including poultry, swine, sheep, cattle, and horses. Homes adjacent to Fancher Creek Canal have ponds (Exhibit 3.4-1) and others have extensive ornamental gardens. The rural residential area supports a diversity of plant species, some that are native to California and the US. Cultivated and natural vegetation includes established trees, shrubs, grasses, and flowers. The rural landscape supports a growing diversity of wildlife including mammals, marsupials, rodents, birds, reptiles, amphibians and insects.

**i.** Pollinators. The EIR fails to identify the negative impact of removing pollinator habitat from areas in the SEDA that would contribute to an agricultural disaster in the region. Pollinators including hummingbirds, butterflies, bats, and bees are in decline in California (Chrobak 2022), across the U.S., and globally (Rhodes 2018). Plants in agricultural margins have the potential to greatly enhance habitat connectivity for pollinating insects (Wolterbeek 2023; Dilts et al. 2023) and prevent biodiversity collapse while providing natural pollination services. A variety of plant types found in gardens attract a diversity of bees (Frankie 2019). Gardens are larger in the rural residential areas of the MFTD compared to the city helping to support pollinator diversity and survival, and restore habitat for the Monarch butterfly (Cutting and Tallamy 2015). 10

**ii.** Horticultural Nursery. The EIR fails to identify the negative impact of replacing a large horticultural plant nursery with a Neighborhood Town Center in the MFTD (Exhibits 1-1, 2-2, 3.11-1, and 5-1). The nursery is classified as unique farmland in the SEDA (Exhibit 3.2-1), conducive to the rural residential landscape, and supports biodiversity (Liquete et al. 2016).

**iii.** Golf Course. The EIR fails to identify the environmental value of a golf course located in the southern area of the MFTD. Golf courses support biodiversity and provide ecosystem services (Petrosillo et al. 2019). The golf course in Exhibit 5-2, Farmland Conservation Alternative, is replaced by urban development.

**10.** Disagree with Regulated Trees. The EIR fails to identify the negative impact on California native oaks that are found in the SEDA and along the Fancher Creek Canal banks in the MFTD including valley Oak (*Quercus lobata*) and California live Oak (*Quercus agrifolia*). One hundred-year-old eucalyptus trees grow from the banks of Fancher Creek Canal. Although these extremely tall trees are not protected, they are suitable habitats for nesting birds, especially raptors. 11

**a.** EIR fails to identify the Fresno County oak woodland policy (UC Oaks 2022) and impact of the plan on oak trees in the SEDA.

**b.** EIR fails to identify the Oak Woodlands Conservation Act (2001) and impact of the plan on oak trees in the SEDA. 11 CONT

**B. Regulatory Framework 3.4.3**

**1.** The EIR fails to identify the significant negative impact of a Neighborhood Town Center in the MFTD community. The SEDA specific plan does not define the purpose of the MFTD Neighborhood Town Center. Therefore, the land can be used for an elementary school (two schools are already located nearby), a local park (residents already live in open spaces), community gardens (residents have their own gardens) or a range of housing options or retail shopping which is apparently the objective of a Neighborhood Town Center in the MFTD.

**a.** The property designated as the Neighborhood Town Center in the MFTD is not owned by the current horticultural nursery operators according to Fresno County public records. The motive for Fresno City planners to designate this particular site for development is questionable, especially when a second Neighborhood Town Center is planned about 3000 ft to the west. 12

**b.** The EIR fails to address the significant negative environmental impact of the Neighborhood Town Center on the Fancher Creek Canal habitat along the development's southern border (Exhibit 3.4-1).

**i.** Fresno General Plan PEIR Mitigation Measures BIO-1.1, -1.2, and -1.3 are avoidance measures that justify eliminating the Neighborhood Town Center from the MFTD in the SEDA specific plan (Exhibits 1-1 and 2-2) and in Alternative 2-Consolidated Business Park Alternative (Exhibit 5-1).

**C. Thresholds of Significance 3.4.5**

**1.** A Neighborhood Town Center in the MFTD of the SEDA specific plan would be significant because of the substantial adverse effect on the special-status species associated with the Fancher Creek Canal habitat (Impact Bio-1) by disrupting the environment that is currently a favorable habitat for the listed special-status species. 13

**D. Level of Significant After Mitigation 3.4.6**

**1.** Disagree with Impact BIO-1 determination that the level of significance before mitigation is less than a significant impact. The impact would be significant before mitigation on special-status species (Impact BIO-1) with a Neighborhood Town Center in the MFTD of the SEDA specific plan. 14

**a.** Implementation of Mitigation Measures BIO-1.1, -1.2, -1.3 to eliminate a Neighborhood Town Center in the MFTD of the SEDA specific plan would result in a level of significance after mitigation of less than significant impact.

**2.** Disagree with Impact BIO-2 determination that the level of significance before mitigation is less than a significant impact. The impact would be significant before mitigation on the riparian habitat of the Fancher Creek Canal (Impact BIO-2) with a Neighborhood Town Center in the MFTD of the SEDA specific plan.

**a.** Eliminating the Neighborhood Town Center in the MFTD of the SEDA specific plan would result in a level of significance after mitigation of less than significant impact.

**3.** Disagree with Impact BIO-4 determination that the level of significance before mitigation is less than a significant impact. The impact would be significant before mitigation on fish, established protected species, and wildlife movement through the corridor of the Fancher Creek Canal (Impact BIO-4) with a Neighborhood Town Center in the MFTD of the SEDA specific plan. 14 CONT

**a.** Eliminating the Neighborhood Town Center in the MFTD of the SEDA specific plan would result in a level of significance after mitigation of less than significant impact.

4. Disagree with Impact BIO-5 determination that the level of significance before mitigation is less than a significant impact. The impact would be significant before mitigation on California native oak trees within the MFTD and SEDA specific plan.

**a.** Fresno County has an oak woodland policy (UC Oaks 2022) and the Oak Woodlands Conservation Act (2001) applies to oak trees in the SEDA specific plan.

**E. Alternatives 1, 2, and 3 to the SEDA**

The results of the author's evaluation of the impact of the SEDA on biological resources in the MFTD would apply to the entire SEDA specific plan region. The SEDA specific plan and the adverse effects of a Neighborhood Town Center on biodiversity and environmental habitat in the MFTD would also affect the adjacent areas of Sanger. The SEDA is a plan that supports urban sprawl into established rural residential and agricultural areas, and will destroy biological resources. Environmentally conscious agricultural and rural practices can benefit wildlife, but urban development will cause the greatest threat to all wildlife species and their habitats (Kucera and Barrett 1995). 15

**1.** Acceptable: Alternative 1-No Project Alternative is the preferred alternative and would have no significant environmental (Table 5-1) effect on the existing biological resources in the MFTD and within the region of the SEDA boundaries. 16

**2.** Not Acceptable: Alternative 2-Consolidated Business Park Alternative (Exhibit 5-1) would have the same unacceptable and significant environmental impact in the MFTD as the SEDA specific plan. In Alternative 2, the Neighborhood Town Center bordered by the Fancher Creek Canal on the south would remain in the MFTD. Alternative 2 will destroy farmland and cause habitat fragmentation and destruction that result in an unrecoverable loss of biological resources within the SEDA. 17

**a.** Disagree with Table 5-1 Biological Resources, Alternative 2 quantitative environmental effect is greater than or equal to (≥) in part, and greater than (>) in part.

**3.** Acceptable: Alternative 3-Farmland Conservation Alternative (Exhibit 5-2) would eliminate the Neighborhood Town Center, and the golf course a source of habit in the MFTD, but the Fancher Creek Canal that supports environmental habitat and species diversity would be preserved. Alternative 3 would implement the MM AG-2 mitigation measure to preserve farmland, and prevent farmland conversion into nonagricultural uses. Alternative 3 limits urban sprawl into farmland and helps preserve biological resources, and conservation of the environmental and ecological integrity of the SEDA. 18

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## *Victoria Yokoyama (YOKOYAMA)*

*Response to YOKOYAMA-1*
The comment is noted. The City initially notified residents of the commencement of the SEDA EIR through an NOP for public review from February 22, 2022, to March 25, 2022 (30-day review period). The NOP and copies of comments received are included as Appendix A to the Draft PEIR. The City also hosted three workshops and one listening session in May 2022.

The previously circulated Draft PEIR was circulated for a public review period between July 14, 2023, and August 28, 2023 (45-day review period). The Draft PEIR was publicly available at the City of Fresno Planning and Development Department at 2600 Fresno Street, Room 3065, and the Fresno County Public Library at 2420 Mariposa Street. In addition, the Draft PEIR was posted on the City Planning and Development website at www.fresno.gov/SEDA here during the public review period.

On July 24, July 27, and August 12, 2023, three in-person public drop-in events were held at Hmong Alliance Church located at 8234 East Belmont Avenue, Sequoia Elementary School located at 1820 South Armstrong, and Young Elementary School located at 3140 North Locan Avenue, respectively. Individuals and organizations/agency representatives were invited to provide written comments on the Draft PEIR and Specific Plan at these public drop-in events.

The Partial Recirculated Draft PEIR, which was limited to the Geology, Soils, and Seismicity and the Transportation and Traffic sections, was circulated for a public review period between October 3, 2023, and November 17, 2023.

The Recirculated Draft PEIR was then circulated for a public review period between February 7, 2025, and March 24, 2025.

Furthermore, please refer to Master Response 3, Clarification Regarding Previous Comments Received, in Section 2, Master Responses, of this document. Master Response 3 provides clarifying information related to the review of or response to any comments received on the previously circulated Draft PEIR and Partial Recirculated Draft PEIR, including comments incorporated by reference in the public comment period. No further response is required.

*Response to YOKOYAMA-2*
The comment is noted. Impacts to biological resources are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Recirculated Draft PEIR, subsequent development under the proposed project could result in the direct/indirect loss of natural vegetation communities that provide suitable habitat for 27 special-status plant and wildlife species that have the potential to occur or are known to occur within the Plan Area. Development within the Plan Area could also result in the loss or degradation of natural habitats, which may support special-status plant and wildlife species. However, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources, specifically within the Parks, Open Space, and Schools Element (POSS). Project-level implementation of the General Plan Policies POSS-5-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats. Furthermore, implementation of MM BIO-1a through MM BIO-1d would ensure that if one or more of these special-status species occur in the Plan Area, the

project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. The risk of mortality would be avoided to the maximum extent feasible. Additionally, all future development in the Plan Area would be required to comply with the proposed Specific Plan policies pertaining to biological resources, including Policy OS-2.2, which protects passive open space, and Policy OS-5.2, which protects habitat corridors.

Implementation of the City's relevant General Plan policies pertaining to biological resources (POSS-5-a through POSS-5-f); MM BIO-1a through MM BIO-1d; and Specific Plan Policies (OS-2.2 and OS-5.2) would reduce impacts to special-status species to a less than significant level.

Additionally, all future development would be required to comply with the approved General Plan, including Policies (POSS-6-a through POSS-7-d) that would reduce impacts to wildlife movement corridors by providing buffer zones, control stormwater runoff, and providing periodic monitoring of the biological resource conditions. Additionally, MM BIO-2a through MM BIO-2c would require pre-construction clearance surveys and mitigation if necessary to protect special-status species. These policies and mitigation measures would reduce potential impacts to wildlife movement corridors to a less than significant level.

Additionally, all future development in the Plan Area resulting from the proposed project must comply with the proposed Specific Plan policies pertaining to biological resources, including Policy OS-2.2, which protects passive open space, and Policy OS-5.2, which protects habitat corridors. As such, potential project-related impacts would be less than significant.

Furthermore, the proposed project would implement MM AG-1, which would require individual projects to analyze impacts to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance and require the implementation of feasible mitigation to reduce impacts to agricultural resources. No further response is required.

*Response to YOKOYAMA-3*
The comment is noted. Impacts to biological resources are discussed in Section 3.4, Biological Resources, of the Draft PEIR. As shown in Exhibit 3.4-1 of the Draft PEIR, the Land Cover Types and Vegetation Communities map is based on ESRI Aerial Imagery and the Fresno General Plan. Any project-level impact would adhere to applicable mitigation measures, such as MM BIO-1a and MM BIO-1c. Pre-construction clearance surveys would be conducted to determine whether riverine habitat is within the project site boundaries. If any critical habitat is present, the proposed project shall implement appropriate mitigation measures to reduce project-related impacts to less than significant levels.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Additionally, discretionary projects will be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation. No further response is required.

*Response to YOKOYAMA-4*
The comment is noted. Potential impacts to each of these species and their respective habitats within the Plan Area and surrounding area are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources. Project-level implementation of the General Plan Policies POSS-5a-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats.

Furthermore, implementation of MM BIO-1a through MM BIO-1d would ensure that a future proposed project under the Specific Plan would not result in potentially significant impacts. If one or more of these special-status species occur in the Plan Area, the project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. Specific mitigation measures for direct or incidental impacts to natural communities and vegetation supporting special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects. Potential impacts to special-status species and critical habitat would be avoided to the maximum extent feasible or appropriate mitigation measures would be implemented.

Special-status species are protected by the CDFW, and in some cases, the USFWS Endangered Species Act, and the MBTA. Future projects proposed under the Specific Plan would be required to follow all applicable federal regulations to special-status species, and their critical habitat. Therefore, with implementation of MM BIO-1a through MM BIO-1d and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant. No further response is required.

*Response to YOKOYAMA-5*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. The proposed project's potential impacts on the Fancher Creek Canal are discussed in Section 3.4, Biological Resources, and Section 3.10, Hydrology and Water Quality. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following mitigation measures pertaining to biological resources: MM BIO-2b, MM BIO-3a, and MM BIO-3b. Pre-construction clearance surveys shall be conducted to determine whether streambeds or waterways are within project site boundaries. If any streambeds or waterways are present, the proposed project shall consult with partner agencies such as CDFW and the USACE to develop and implement appropriate mitigation measures regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting, including alteration agreements, to reduce impacts, as required for projects that impact streambeds and/or waterways.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. Additionally, discretionary projects will be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation. No further response is required.

*Response to YOKOYAMA-6*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. The proposed project's impacts on the on the Kings and San Joaquin rivers, and the relative locations of the two rivers to project site, are discussed in Section 3.10, Hydrology and Water Quality. No further response is required.

*Response to YOKOYAMA-7*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. The proposed project's potential impacts on wildlife species are discussed in Section 3.4, Biological Resources. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following mitigation measures pertaining to biological resources: MM BIO-1b and MM BIO-1c, MM BIO-2a, and MM BIO-2c. Pre-construction clearance surveys shall be conducted to determine whether any critical habitat or potential wildlife species are present in Fancher Creek Canal within the project site boundaries. If any are present, the proposed project shall implement appropriate General Plan mitigation measures to reduce project-related impacts to less than significant levels.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to YOKOYAMA-8*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. The proposed project's potential impacts on wildlife species are discussed in Section 3.4, Biological Resources. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following mitigation measures pertaining to biological resources: MM BIO-1b and MM BIO-1c. Pre-construction clearance surveys shall be conducted to determine whether critical habitat and/or special-status species are within the project site boundaries. If any critical habitat or potential wildlife species are present in the Fancher Creek Canal Bank, or adjacent areas, the proposed project shall implement appropriate mitigation measures to reduce project-related impacts to less than significant levels. Therefore, with implementation of mitigation, impacts would be less than significant.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to YOKOYAMA-9*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Potential impacts to each of these species and their respective habitats within the Plan Area are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to

biological resources. Project-level implementation of the General Plan Policies POSS-5a-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats.

Furthermore, implementation of MM BIO-1a through MM BIO-1d would ensure that a future proposed project under the Specific Plan would not result in potentially significant impacts. If one or more of these special-status species occur in the Plan Area, the project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. Specific mitigation measures for direct or incidental impacts to natural communities and vegetation supporting special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects. Potential impacts to special-status species and critical habitat would be avoided to the maximum extent feasible or appropriate mitigation measures would be implemented. Therefore, with implementation of the above mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant.

Additionally, special-status species are protected by the CDFW, and in some cases, the USFWS Endangered Species Act, and the MBTA. Future projects proposed under the Specific Plan would be required to follow all applicable federal regulations to special-status species, and their critical habitat. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to YOKOYAMA-10*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Potential impacts to each of these species and their respective habitats within the Plan Area are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources. Project-level implementation of the General Plan Policies POSS-5a-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats.

Furthermore, implementation of MM BIO-1a through MM BIO-1d, MM BIO-2a, and MM BIO-2c would ensure that a future proposed project under the Specific Plan would not result in potentially significant impacts. If one or more of these special-status species occur in the Plan Area, the project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. Specific mitigation measures for direct or incidental impacts to natural communities and vegetation supporting special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects. Potential impacts to special-status species and critical habitat would be avoided to the maximum extent feasible or appropriate mitigation measures would be implemented. Therefore, with

implementation of the above mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant.

Additionally, special-status species are protected by the CDFW, and in some cases, the USFWS Endangered Species Act, and the MBTA. Future projects proposed under the Specific Plan would be required to follow all applicable federal regulations to special-status species, and their critical habitat.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to YOKOYAMA-11*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Potential impacts to regulated trees within the Plan Area are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Recirculated Draft PEIR, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources. Project-level implementation of the General Plan Policies POSS-5a-a through POSS-5-f would reduce potential project impacts to special-status plant species and their associated habitats.

Furthermore, implementation of MM BIO-1a through MM BIO-1c and MM BIO-2a would ensure that a future proposed project under the Specific Plan would not result in potentially significant impacts. If one or more of these special-status species, including protected oak and woodlands, occur in the Plan Area, the project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. Specific mitigation measures for direct or incidental impacts to natural communities and special-status plant species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects. Potential impacts to special-status species and critical habitat would be avoided to the maximum extent feasible or appropriate mitigation measures would be implemented. Additionally special-status plant species are protected by the CDFW, and in some cases, the USFWS Endangered Species Act. Future projects proposed under the Specific Plan would be required to follow all applicable federal regulations to special-status species, and their critical habitat. Therefore, with implementation of the applicable mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area. No further response is required.

*Response to YOKOYAMA-12*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. Please refer to Master Response 1, Non-CEQA

Issues Not Addressed in Final PEIR, in Section 2, Master Responses, of this document. Master Response 1 provides additional information on the scope of CEQA and any non-CEQA issues not further discussed in the Final PEIR.

As discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR, the proposed project would comply with MM BIO-1a through MM BIO-1d and MM BIO-2a through MM BIO-2c. These mitigation measures would require construction to avoid vegetation communities that provide suitable habitat for special-status species and mitigate if necessary to the greatest extent feasible. The mitigation measures would also require a pre-construction clearance survey, following current CDFW protocols, to determine whether the proposed project would result in the removal or impact to any riparian habitat and/or a special-status natural community and develop appropriate mitigation as necessary. Therefore, with implementation of applicable mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant. No further response is required.

*Response to YOKOYAMA-13*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

The proposed project is a programmatic document and does not propose site-specific development at this time. Future development associated with the proposed project, such as a Neighborhood Town Center, would complete site-specific environmental analysis pursuant to CEQA and provide mitigation as necessary. Additionally, as discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR, the proposed project would incorporate MM BIO-1a through MM BIO-1d, and MM BIO-2a through MM BIO-2c. These mitigation measures would require construction to avoid vegetation communities that provide suitable habitat for special-status species and mitigate if necessary to the greatest extent feasible. The mitigation measures would also require a pre-construction clearance survey, following current CDFW protocols, to determine whether the proposed project would result in the removal or impact to any riparian habitat and/or a special-status natural community and develop appropriate mitigation as necessary. Therefore, with implementation of the applicable mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant. No further response is required.

*Response to YOKOYAMA-14*
The comment is noted. Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

The proposed project is a programmatic document and does not propose site-specific development at this time. Future development associated with the proposed project, such as a Neighborhood Town Center, would complete site-specific environmental analysis pursuant to CEQA and provide mitigation as necessary. Additionally, as discussed in Section 3.4, Biological Resources, of the

Recirculated Draft PEIR, the proposed project would incorporate MM BIO-1a through MM BIO-1d, and MM BIO-2a through MM BIO-2c. These mitigation measures would require construction to avoid vegetation communities that provide suitable habitat for special-status species and mitigate if necessary to the greatest extent feasible. The mitigation measures would also require a pre-construction clearance survey, following current CDFW protocols, to determine whether the proposed project would result in the removal or impact to any riparian habitat and/or a special-status natural community and develop appropriate mitigation as necessary. Therefore, with implementation of the applicable mitigation measures and policies found within the General Plan and proposed Specific Plan, impacts would be less than significant. No further response is required.

*Response to YOKOYAMA-15*
The comment is noted and is included in the record provided to the Lead Agency for further consideration. Potential impacts to each of these species and their respective habitats within the Plan Area and surrounding area are discussed in Section 3.4, Biological Resources, of the Recirculated Draft PEIR. As discussed in the Draft PEIR, future development in the Plan Area would be required to comply with the following General Plan policies pertaining to biological resources. Project-level implementation of the General Plan Policies POSS-5a-a through POSS-5-f would reduce potential project impacts to special-status species and their associated habitats.

Furthermore, implementation of MM BIO-1a through MM BIO-1d would ensure that a future proposed project under the Specific Plan would not result in potentially significant impacts. If one or more of these special-status species occur in the Plan Area, the project area would be evaluated to determine whether species are present using survey methods applicable at the time of project application. Specific mitigation measures for direct or incidental impacts to natural communities and vegetation supporting special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects. Potential impacts to special-status species and critical habitat would be avoided to the maximum extent feasible or appropriate mitigation measures would be implemented.

Please refer to Master Response 5, Clarification of the Programmatic Document, in Section 2, Master Responses. Master Response 5 provides additional information on the level of review included in the Recirculated Draft PEIR and the subsequent environmental review that would be performed as the City receives specific development applications in the Plan Area.

Future development under the proposed project would be required to comply with applicable federal regulations, State CEQA Guidelines, the City's applicable General Plan and Specific Plan policies, and the Fresno Municipal Code, which would require that the site's habitat, including the potential plants, animals, invertebrate, and fish species be identified and assessed for impacts under CEQA. When applicable, cumulative impacts related to biological resources would be analyzed and mitigation measures would be applied. No further response is required.

*Response to YOKOYAMA-16*
The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. No further response is required.

*Response to YOKOYAMA-17*

The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. As noted in Section 3.4, Biological Resources, of the Recirculated Draft PEIR, the proposed project's impacts related to biological resources would be less than significant with the incorporation of mitigation, along with applicable regulations. No further response is required.

*Response to YOKOYAMA-18*

The comment is noted and is included in the record provided to the Lead Agency for their review and consideration of the proposed project as a whole. As noted in Section 3.4, Biological Resources, of the Recirculated Draft PEIR, the proposed project's impacts related to biological resources would be less than significant with the incorporation of mitigation, along with applicable regulations. No further response is required.

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**From:** connie young
**To:** LongRangePlanning
**Cc:** District1
**Subject:** Concerns about the SEDA recirculated EIR
**Date:** Monday, March 24, 2025 4:48:19 PM

**External Email:** Use caution with links and attachments

Dear Ms. Pagoulatos,

I'm writing to express my concern about the following aspects of the SEDA Recirculated EIR:

4-2 Growth-ilduced Impacts
New data from the California Department of Finance shows much slower growth projections for the Fresno area than the EIR predicts. Let's not contribute to urban sprawl by building homes that will not be needed. Furthermore, let's prioritize increasing affordable housing and complete neighborhoods within existing city limits. 1

3.3.4 Air Quality
By increasing urban sprawl, this project will increase air pollution. Considering that our air basin already fails attainment standards for several criteria air pollutants, we must not increase the vehicular pollution in our air basin. Air pollution diminishes the quality and longevity of Fresno residents. 2

Fresno has many blighted areas. Sadly, it is known in other parts of the state as "the armpit of California". We can do better! Let's stop urban sprawl and inner city blight by focusing our resources on what we already have.

Sincerely,

Connie Young, RN (retired)
4442 N Van Dyke Ave
Fresno, CA 93705
cyoungrn@sbcglobal.net

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## *Connie Young (YOUNG)*

*Response to YOUNG-1*

The comment is noted. Please refer to Master Response 9, Clarifying Information on Population Projections, in Section 2, Master Responses. Master Response 9 discusses the Recirculated Draft PEIR's methodology for the population projections contained within the Recirculated Draft PEIR.

Additionally, please refer to Master Response 6, Infill Development Priorities, in Section 2, Master Responses. Master Response 6 provides additional information on the City's infill priorities and how they relate to the goals of the Fresno General Plan. No further response is required.

*Response to YOUNG-2*

The comment is noted. Please refer to Master Response 7, Clarifying Information on Significant and Unavoidable Impacts, in Section 2, Master Responses. Master Response 7 provides additional clarifying information on the significant and unavoidable impacts disclosed within the PEIR. No further response is required.

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# SECTION 4: ERRATA

The following are revisions to the Draft Program EIR for the Fresno Southeast Development Area (SEDA) Specific Plan Project. These revisions are minor modifications and clarifications to the document, and do not change the significance of any of the environmental issue conclusions within the Draft Program EIR. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

## 4.1 - Changes in Response to Specific Comments

### Executive Summary

***Page ES-16 to ES-18, Impact AIR-1, "Mitigation Measures", MM AIR-1c***

MM AIR-1c under Impact AIR-1 has been modified in response to consultation with the California Air Resources Board (CARB) as discussed in *Response to CARB-2* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM AIR-1c** Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (Valley Air District) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the Valley Air District adopted thresholds of significance, the project applicants for new development projects shall be required to 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 including the use of electric-powered forklifts and/or other interior vehicles 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 ARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, § 2485).

- Electric vehicle (EV) charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.
- Projects shall be required to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24 and reduction of indoor water use by 25 percent.
- 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.
- For buildings with more than 10 tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Long-term and short-term bicycle parking shall be provided as specified in Section A5.106.4 (Nonresidential Mandatory Measure) of the CALGreen Code.
- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.

Facilities shall be installed to support future EV charging at ~~each~~ single-family, multi-family, commercial, and nonresidential ~~building with 30 or more parking spaces~~ uses. ~~Installation~~ EV charging infrastructure shall meet the most ambitious voluntary standard ~~be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures)~~ of the CALGreen Code.

### *Page ES-18 to ES-19, Impact AIR-1, "Mitigation Measures", MM AIR-1d*

MM AIR-1d under Impact AIR-1 has been modified in response to consultation with the CARB as discussed in *Responses to SJVAPCD-10 and SJVAPCD-11* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM AIR-1d:** Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants proposing a project with the potential to introduce sources of diesel particulate matter (DPM) and/or toxic air contaminants (TACs) (such as diesel backup generators or significant truck trips) within ~~1,000 feet~~ 0.25 mile 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, shall prepare and submit to

the Director of the Planning and Development Department, or a designee, a Prioritization (Screening HRA) and/or Health Risk Assessment (HRA). An analysis evaluating potential health risks to sensitive receptors farther than 0.25 mile from the proposed project site may also be required, depending on the size and scope of the project, the amount of air toxic emissions from project construction and operation sources (heavy heavy-duty [HHD] truck trips, stationary source emissions, etc.), the type of pollutants emitted, the proximity to the nearest sensitive receptor, and the expected duration of project construction. The Prioritization should be performed using Valley Air District-approved methods. If a project will result in a Prioritization score of 10 or greater, then an HRA shall be prepared in accordance with policies and procedures of the most current California Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (Valley Air District). If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the Valley Air District at the time a project is considered, the project applicant shall 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 DPM;
- Requiring use of newer tier equipment and/or vehicles;
- Providing charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy-duty trucks; and/or
- Installing solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

### *Page ES-34, Impact GHG-1, "Impacts"*

This impact statement has been edited to clarify the potential impacts associated with the implementation of the proposed project.

**Impact GHG-1** The proposed project could ~~would not~~ generate direct and indirect greenhouse gas emissions, and these emissions would not result in a significant impact on the environment.

### *Page ES-41, Impact HYD-3, "Mitigation Measures," MM HYD-3e*

MM HYD-3e under Impact HYD-3 has been modified in response to the Fresno Municipal Flood Control District (FMFCD) comment letter as discussed in *Response to FMFCD-15,* and its numbering has been corrected. This mitigation measure has been revised to also include coordination with the Fresno Irrigation District (FID) when updated the Storm Drainage Master Plan.

**MM HYD-3d** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in coordination with the Fresno Irrigation District (FID) in updating the Storm Drainage and Flood Control Master Plan to analyze the impacts to existing and planned retention basins within the Plan Area to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:
  - Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
  - ~~Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canals that convey the stormwater to a disposal facility for existing retention basins.~~
  - ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.~~

***Page ES-41, Impact HYD-3, "Mitigation Measures," MM HYD-3f***

MM HYD-3f under Impact HYD-3 has been modified in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

**MM HYD-3f** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the impacts to the urban detention weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:
  - Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
  - Increase the size of the urban detention basin to increase residence time by purchasing more land.
- ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.~~

### *Page ES-42, Impact HYD-3, "Mitigation Measures," MM HYD-3g*

MM HYD-3g under Impact HYD-3 has been removed in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

~~**MM HYD-3g:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:~~

- ~~Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the extent and degree to which the capacity of the existing pump system will be exceeded.~~
- ~~Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.~~
- ~~Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the Storm Drainage and Flood Control Master Plan update.~~

### *Page ES-43, Cumulative Impact, "Mitigation Measures"*

MM HYD-3g has been removed in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

**Implement MM UTIL-2a, MM UTIL-2b, MM UTIL-2c, MM HYD-2a, MM HYD-2b, MM HYD-2c, MM HYD-2d, MM HYD-2e, MM HYD-3a, MM HYD 3b, MM HYD-3c, MM HYD-3d, MM HYD-3e, <u>and</u> MM HYD-3f~~, and MM HYD-3g~~.**

### *Page ES-50, Impact TRANS-1, "Mitigation Measures", MM TRANS-1d*

MM TRANS-1d under Impact TRANS-1 has been modified in response to consultation with the CARB as discussed in *Response to CARB-5* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM TRANS-1d** Collaborate with the Fresno Area Express (FAX) to provide new transit services<u>, including the consideration of shuttle and micro-transit service,</u> to the proposed project and within the proposed project area.

### *Page ES-50 to ES-51, Impact TRANS-1, "Mitigation Measures", MM TRANS-1e*

MM TRANS-1e under Impact TRANS-1 has been modified in response to consultation with the CARB as discussed in *Response to CARB-6* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM TRANS-1e** In addition, the following Transportation Demand Management (TDM) strategies may be applicable at the implementing project level:

- Reduce Parking Supply for Retail Uses (maximum reduction: 12.5 percent)

- Add Transit Rerouting and Transit Stops (maximum reduction: 5 percent)
- Implementation of Local Shuttle Service (grouped strategy with transit system improvements)
- Mandatory Travel Behavior Change Program, Promotions and Marketing (maximum reduction: 1 percent)
- Promotions and Marketing (maximum reduction: 1 percent)
- Emergency Ride Home (ERH) Program (maximum reduction: 3 percent)
- School Carpool Program (maximum reduction: 15 percent)
- Bike Share (maximum reduction: 0.25 percent)
- Implement/Improve On-street Bicycle Facility (maximum reduction: 0.625 percent)
- Traffic Calming Improvements (maximum reduction: 1 percent)
- Pedestrian Network Improvements (maximum reduction: 2 percent)
- Unbundle the cost of parking from multi-family residential land uses.

### *Page ES-51, Impact TRANS-3, "Mitigation Measures"*

These mitigation measures have been added in response to consultation with the California Department of Transportation (Caltrans) as discussed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 2, Responses to Written Comments, in this Final PEIR.

Implement **MM TRANS-1a, MM TRANS-1b, MM TRANS-1c, MM TRANS-1d, and MM TRANS-1e.**

**MM TRANS-3a** Lengthen the eastbound turning lane to 875 feet and the westbound turning lane to 1,150 feet for the De Wolf Avenue and State Route (SR) 180 intersection.

**MM TRANS-3b** Lengthen the westbound turning lane to 1,075 feet for the McCall Avenue and State Route (SR) 180 intersection.

**MM TRANS-3c** Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall coordinate with the California Department of Transportation (Caltrans) to determine whether the project would result in a potential impact on queueing lengths at either the Clovis Avenue and State Route (SR) 180 eastbound off-ramp interchange or the Temperance Avenue and SR-180 eastbound off-ramp interchange. If the queueing extends into the auxiliary lane of either of these interchanges, the City shall implement mitigation consistent with the Caltrans Local Development Review Safety Review Practitioners Guidance in coordination with Caltrans. This mitigation includes, but is not limited to:

- Implementation of project-specific transportation demand management programs, such as rideshare programs, shared mobility facilities, or improvements to bicycle and pedestrian infrastructure;
- Improvements to existing site-specific active transportation infrastructure; or

- Improvements to ramp terminal operations such as lane reassignment, traffic signalization phasing or retiming, and turn lane extensions.

**MM TRANS-3d** Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall establish a development fee program that shall collect fees from developers of individual development projects within the Plan Area to fund required safety improvements to transportation facilities.

### *Page ES-51, Cumulative Impact, "Mitigation Measures"*

These mitigation measures have been added in response to consultation with Caltrans as discussed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 2, Responses to Written Comments, in this Final PEIR.

> Implement **MM TRANS-1a, MM TRANS-1b, MM TRANS-1c, MM TRANS-1d, MM TRANS-1e, MM TRANS-3a, MM TRANS-3b, MM TRANS-3c, MM TRANS-3d,** and **MM TRANS-4.**

### *Page ES-53, Impact UTIL-1, "Mitigation Measures", MM UTIL-1f*

This mitigation measure has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

**MM UTIL-1f** At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric~~, natural gas,~~ or telecommunication facilities be completed prior to project approval.

## Chapter 1, Introduction

### *Page 1-1, "1.1.2 – Purpose and Authority", First Paragraph, First Sentence*

This sentence has been edited to reflect the program-level analysis of the environmental effects of the proposed project as further discussed in *Response to COUNTY-7*.

> This Recirculated Draft PEIR provides a program~~project~~-level analysis of the environmental effects of the proposed project.

## Chapter 2, Project Description

### *Page 2-3, "Infrastructure Financing Plan"*

This paragraph has been edited to correctly reflect the name of the Public Facilities Financing Options Report.

> The proposed project would include a Public Facilities Financing ~~Plan~~ Options Report to present a strategy and funding options for backbone infrastructure and public facilities, including roads, sewer, water, storm drainage, parks, and other public facilities. Backbone infrastructure and public facilities required for development could~~would~~ be funded through a combination of public and private funding. The Public Facilities Financing ~~Plan~~ Options

Report has been developed through a review of the SEDA Specific Plan, infrastructure studies, and coordination with the City.

## Section 3.3, Air Quality

### *Page 3.3-45, Impact AIR-1, MM AIR-1c*

MM AIR-1c under Impact AIR-1 has been modified in response to consultation with the CARB as discussed in *Response to CARB-2* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM AIR-1c** Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (Valley Air District) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the Valley Air District adopted thresholds of significance, the project applicants for new development projects shall be required to 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 including the use of electric-powered forklifts and/or other interior vehicles 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 ARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, § 2485).
- Electric vehicle (EV) charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.
- Projects shall be required to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24 and reduction of indoor water use by 25 percent.

- 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.
- For buildings with more than 10 tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Long-term and short-term bicycle parking shall be provided as specified in Section A5.106.4 (Nonresidential Mandatory Measure) of the CALGreen Code.
- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.

Facilities shall be installed to support future EV charging at ~~each~~ single-family, multi-family, commercial, and nonresidential ~~building with 30 or more parking spaces~~ uses. ~~Installation~~ EV charging infrastructure shall meet the most ambitious voluntary standard ~~be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures)~~ of the CALGreen Code.

### *Page 3.3-46, Impact AIR-1, MM AIR-1d*

MM AIR-1d under Impact AIR-1 has been modified in response to consultation with the CARB as discussed in *Responses to SJVAPCD-10 and SJVAPCD-11* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM AIR-1d** Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants proposing a project with the potential to introduce sources of diesel particulate matter (DPM) and/or toxic air contaminants (TACs) (such as diesel backup generators or significant truck trips) within ~~1,000 feet~~ 0.25 mile 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, shall prepare and submit to the Director of the Planning and Development Department, or a designee, a Prioritization (Screening HRA) and/or Health Risk Assessment (HRA). An analysis evaluating potential health risks to sensitive receptors farther than 0.25 mile from the proposed project site may also be required, depending on the size and scope of the project, the amount of air toxic emissions from project construction and operation sources (HHD truck trips, stationary source emissions, etc.), the type of pollutants emitted, the proximity to the nearest sensitive receptor, and the expected duration of project construction. The Prioritization should be performed using Valley

Air District-approved methods. If a project will result in a Prioritization score of 10 or greater, then an HRA shall be prepared in accordance with policies and procedures of the most current California Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (Valley Air District). If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the Valley Air District at the time a project is considered, the project applicant shall 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 DPM;
- Requiring use of newer tier equipment and/or vehicles;
- Providing charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy-duty trucks; and/or
- Installing solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

### *Page 3.3-50, "Operational Emissions", First Paragraph, Third Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Energy sources would include electricity ~~and natural gas combustion~~ for space and water heating.

## Section 3.6, Energy

### *Page 3.6-16, "3.6.4 – Methodology", Second Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

The proposed project's anticipated energy use was estimated, including ~~natural gas,~~ electricity~~,~~ and fuel consumption (for vehicles traveling to and from the project), for project construction and operation.

### *Page 3.6-17, Impact ENER-1, First Paragraph, Second Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Energy resources that would be potentially impacted include electricity~~, natural gas,~~ and petroleum-based fuel supplies and distribution systems.

### *Page 3.6-18, "Operation Energy Usage", First Paragraph*

This paragraph has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Implementation of the proposed project may result in the development of approximately 45,000 homes, as well as the development of office centers, flexible research and development districts, and institutional uses within the nearly 9,000-acre Plan Area by the year 2050. Operation of future developments envisioned as a part of the proposed project would consume ~~natural gas and~~ electricity for building heating and power, lighting, and water conveyance, among other operational requirements. ~~The electrical consumption and natural gas usage associated with the potential development have been calculated in the CalEEMod model, which estimates that the potential development would consume 500,083,800 kWh of electricity per year and 1,200,642,400 kilo-British Thermal Units (kBTU) of natural gas per year. All CalEEMod modeling output files and energy consumption estimates are contained in Appendix B.~~

### *Page 3.6-19, Third Paragraph*

This paragraph has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Plans submitted for building permits of development projects in the project area would be required to include verification demonstrating compliance with the Building and Energy Efficiency Standards for Residential and Non-Residential Buildings in effect at the time building permits are issued. These standards are updated every 3 years, with the latest update (2022) having gone into effect on January 1, 2023. The proposed project would also be required to adhere to the provisions of CALGreen, which established planning and design standards for sustainable site development, energy efficiency (beyond the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. Additionally, because developments that would be considered under the proposed project have not been designed or proposed at this time, potential improvements to the current energy ~~and natural gas~~ facilities would be identified at the time such projects are considered. Therefore, with adherence to Title 24 regulations and the objectives and policies included in the approved General Plan and the proposed Specific Plan, the proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

### *Page 3.6-19, Third Paragraph, Fourth Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Additionally, because developments that would be considered under the proposed project have not been designed or proposed at this time, potential improvements to the current energy ~~and natural gas~~ facilities would be identified at the time such projects are considered.

## Section 3.8, Greenhouse Gas Emissions

### *Page 3.8-41, "Impact GHG-1"*

This impact statement has been edited to clarify the potential impacts associated with the implementation of the proposed project.

**Impact GHG-1** The proposed project could generate direct and indirect greenhouse gas emissions, and these emissions would <u>not</u> result in a significant impact on the environment.

### *Page 3.8-48, First Paragraph*

This paragraph has been edited to clarify that future individual development projects would be required to comply with all applicable requirements and policies, such as demonstrating consistency with Table 3 of Appendix D of the 2022 Scoping Plan.

This is anticipated to substantially reduce the operational emissions associated with passenger vehicles (i.e., mobile emissions) further over time. In addition, the proposed project would be developed according to the latest State and federal regulatory requirements those associated with operational building energy efficiency. Therefore, the proposed project would be considered consistent with the 2022 Scoping Plan. Based on this, recognizing the ARB as an authoritative substantial evidence source in evaluating post-2020 GHG impacts, since the proposed project would be consistent with the ARB's 2022 Scoping Plan, buildout of the proposed project would not interfere with the main programs the ARB has identified to support its conclusions that the State is on a trajectory to meet the 2045 GHG target. <u>Furthermore, future development associated with the proposed project would be required to undergo CEQA analysis on a project-by-project basis as necessary, which would include complying with all applicable requirements, such as demonstrating consistency with Table 3 of Appendix D of the 2022 Scoping Plan.</u> Overall, the proposed project would not impede the 2022 Scoping Plan and would help the State to progress toward this target.

## Section 3.10, Hydrology and Water Quality

### *Page 3.10-48, Impact HYD-3, Mitigation Measures*

MM HYD-3e under Impact HYD-3 has been modified in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*. This mitigation measure has been revised to also include coordination with the FID when updated the Storm Drainage Master Plan

**MM HYD-3e** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins within

the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in coordination with the Fresno Irrigation District (FID) in updating the Storm Drainage and Flood Control Master Plan to analyze the impacts to existing and planned retention basins within the Plan Area to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:
  - Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
  - ~~Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canals that convey the stormwater to a disposal facility for existing retention basins.~~
  - ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.~~

### *Page 3.10-49, Impact HYD-3, "Mitigation Measures," MM HYD-3f*

MM HYD-3f under Impact HYD-3 has been modified in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

**MM HYD-3f** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the impacts to the urban detention weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:
  - Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
  - Increase the size of the urban detention basin to increase residence time by purchasing more land.
  - ~~Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.~~

### *Page 3.10-49, Impact HYD-3, "Mitigation Measures," MM HYD-3g*

MM HYD-3g under Impact HYD-3 has been removed in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

~~**MM HYD-3g:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:~~

- ~~Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the extent and degree to which the capacity of the existing pump system will be exceeded.~~
- ~~Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.~~
- ~~Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the Storm Drainage and Flood Control Master Plan update.~~

### *Page 3.10-53, Cumulative Impacts, "Cumulative Mitigation Measures"*

MM HYD-3g has been removed in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

> Implement MM UTIL-2a, MM UTIL-2b, MM UTIL-2c, MM HYD-2a, MM HYD-2b, MM HYD-2c, MM HYD-2d, MM HYD-2e, MM HYD-3a, MM HYD-3b, MM HYD-3c, MM HYD-3d, MM HYD-3e, and MM HYD 3f~~, and MM HYD-3g~~.

## Section 3.15, Public Services

### *Page 3.15-4, "Impact Fees"*

This paragraph has been edited to correctly reflect the name of the Public Facilities Financing Options Report.

> Development within the City creates demands on exis~~-~~ting municipal facilities, improvements, and services. Thus, various development fees and charges are imposed on new development in order to mitigate such demands. Payment of those fees and charges is required at various stages of the development process. The Public Facilities Financing ~~Plan~~ Options Report describes potential funding mechanisms for infrastructure needed to support the proposed project. Payment of applicable development fees or other funding mechanisms would offset the construction and acquisition costs of required fire protection and emergency medical facility improvements or additional personnel required to meet acceptable service levels. The funding mechanisms ultimately adopted by the City Council would also support fire and emergency medical services by ensuring that roadways meet City standards and support FFD vehicles.

### *Page 3.15-5, "Impact Fees"*

This paragraph has been edited to correctly reflect the name of the Public Facilities Financing Options Report.

> Development within the City creates demands on exis~~i~~ting municipal facilities, improvements, and services. Thus, various development fees and charges are imposed on new development in order to mitigate such demands. Payment of those fees and charges is required at various stages of the development process. The Public Facilities Financing ~~Plan~~ Options Report describes potential funding mechanisms for infrastructure needed to support the proposed project. Payment of applicable development fees or other funding mechanisms would offset the construction and acquisition costs of required police protection facility improvements or additional personnel required to meet acceptable service levels. The funding mechanisms ultimately adopted by the City Council would also support police services by ensuring that police facilities meet City standards.

## Section 3.17, Transportation and Traffic

### *Page 3.17-33, Impact TRANS-1, MM TRANS-1d*

MM TRANS-1d under Impact TRANS-1 has been modified in response to consultation with the CARB as discussed in *Response to CARB-5* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM TRANS-1d** Collaborate with the Fresno Area Express (FAX) to provide new transit services ~~to the~~, including the consideration of shuttle and micro-transit service, throughout the proposed project and within the proposed project area.

### *Page 3.17-33, Impact TRANS-1, MM TRANS-1e*

MM TRANS-1e under Impact TRANS-1 has been modified in response to consultation with the CARB as discussed in *Response to CARB-6* in Section 2, Responses to Written Comments, in this Final PEIR.

**MM TRANS-1e** In addition, the following Transportation Demand Management (TDM) strategies may be applicable at the implementing project level:

- Reduce Parking Supply for Retail Uses (maximum reduction: 12.5 percent)
- Add Transit Rerouting and Transit Stops (maximum reduction: 5 percent)
- Implementation of Local Shuttle Service (grouped strategy with transit system improvements)
- Mandatory Travel Behavior Change Program, Promotions and Marketing (maximum reduction: 1 percent)
- Promotions and Marketing (maximum reduction: 1 percent)
- Emergency Ride Home (ERH) Program (maximum reduction: 3 percent)
- School Carpool Program (maximum reduction: 15 percent)
- Bike Share (maximum reduction: 0.25 percent)
- Implement/Improve On-street Bicycle Facility (maximum reduction: 0.625 percent)
- Traffic Calming Improvements (maximum reduction: 1 percent)

- Pedestrian Network Improvements (maximum reduction: 2 percent)
- Unbundle the cost of parking from multi-family residential land uses.

### *Page 3.17-36, "Impact Analysis," First Paragraph, Second Sentence*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

> However, Caltrans comments on the Notice of Preparation (NOP) and subsequent comment letters on the Draft PEIR for the proposed project requested that peak-hour ramp queue analyses be prepared for specific SR-180 interchanges and intersections at project buildout to determine potential impacts.

### *Page 3.17-37, "Impact Analysis," Third Paragraph, First Sentence*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

> ~~Additionally, through coordination with Caltrans, TJKM updated the queueing analysis to reflect the use of auxiliary lanes for additional storage.~~ All of the interchanges and intersections analyzed, and the results of the queueing analysis, are included in Table 3.17-8 below.

### *Page 3.17-37, "Impact Analysis," Table 3.17-8 2035 Project and No Project Queue Analysis Results*

This table has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR. Note that underlined, bolded numbers with no strikeout indicated that the number was not previously bolded in the Recirculated Draft PEIR, but have revised to be bolded to indicate queues extending beyond available storage.

**Table 4.1-1: 2035 Project and No Project Queue Analyses Results**

| # | Intersection/ Interchange | Direction | Lane Group | Storage | Peak | No Project Conditions (2035) | Proposed Project Conditions (2035) | Change |
|---|---|---|---|---|---|---|---|---|
| 1 | Clovis Avenue and SR-180 EB Ramp | EB | Left (pocket) | 255 | AM | 79 | 9 | -70 |
| | | | | | PM | **335** | **375** | 40 |
| | | | Left (full lane) | ~~1,270~~ 1,550 | AM | 350 | 55 | -295 |
| | | | | | PM | **1,581** | **1,738** | 157 |
| | | | Right (full lane ~~plus aux lane~~) | ~~2,990~~ 1,680 | AM | 717 | 261 | -456 |
| | | | | | PM | 1,582 | 1706 | 124 |

| # | Intersection/ Interchange | Direction | Lane Group | Storage | Peak | No Project Conditions (2035) | Proposed Project Conditions (2035) | Change |
|---|---|---|---|---|---|---|---|---|
| | | | Right (pocket) | 885 | AM | 685 | 245 | -440 |
| | | | | | PM | **989** | **1,016** | 27 |
| 2 | Clovis Avenue and SR-180 WB Ramp | WB | Left | 440 | AM | **853** | **687** | -166 |
| | | | | | PM | 66 | 86 | 20 |
| | | | Right | 1,090 | AM | **1,738** | **1,789** | 51 |
| | | | | | PM | 139 | 124 | -15 |
| 3 | Fowler Avenue and SR-180 EB Ramp | EB | Left (pocket) | 400 | AM | 0 | 5 | 5 |
| | | | | | PM | 0 | 0 | 0 |
| | | | Left (full lane) | 1,260 | AM | 9 | 18 | 9 |
| | | | | | PM | 15 | 20 | 5 |
| | | | Right (full lane plus aux lane) | 3,000 | AM | 111 | 118 | 7 |
| | | | | | PM | 207 | 232 | 25 |
| | | | Right (pocket) | 235 | AM | 91 | 102 | 11 |
| | | | | | PM | 205 | 237 | 32 |
| 4 | Fowler Avenue and SR-180 WB Ramp | WB | Left | 650 | AM | 31 | 78 | 47 |
| | | | | | PM | 33 | 36 | 3 |
| | | | Right | 1,420 | AM | 177 | 112 | -65 |
| | | | | | PM | 80 | 61 | -19 |
| 5 | Temperance Avenue and SR-180 EB Ramp | EB | Left (pocket) | 440 | AM | 0 | 0 | 0 |
| | | | | | PM | 4 | **604** | 600 |
| | | | Left (full lane) | ~~1,665~~ 1,940 | AM | 23 | 27 | 4 |
| | | | | | PM | 25 | **2,046** | 2,021 |
| | | | Right (full lane) | ~~3,500~~ 2,070 | AM | 124 | 95 | -29 |
| | | | | | PM | 162 | 2,019 | 1,857 |
| | | | Right (pocket) | 680 | AM | 112 | 78 | -34 |
| | | | | | PM | 155 | **946** | 791 |
| 6 | Temperance Avenue and SR-180 WB Ramp | WB | Left (pocket) | 400 | AM | 82 | 42 | -40 |
| | | | | | PM | 46 | 41 | -5 |
| | | | Left (full lane) | 1,485 | AM | 112 | 69 | -43 |
| | | | | | PM | 90 | 63 | -27 |
| | | | Right (pocket) | 840 | AM | 0 | 159 | 159 |
| | | | | | PM | 0 | 0 | 0 |

| # | Intersection/ Interchange | Direction | Lane Group | Storage | Peak | No Project Conditions (2035) | Proposed Project Conditions (2035) | Change |
|---|---|---|---|---|---|---|---|---|
| 7 | De Wolf Avenue and SR-180 | EB | Left | 725 | AM | 372 | **806** | 434 |
| | | | | | PM | 212 | 663 | 451 |
| | | | Right | 700 | AM | 482 | **1,110** | 628 |
| | | | | | PM | 10 | 681 | 671 |
| | | WB | Left | 690 | AM | 98 | 178 | 80 |
| | | | | | PM | 67 | 209 | 142 |
| | | | Right | 690 | AM | 21 | 43 | 22 |
| | | | | | PM | 40 | 39 | -1 |
| 8 | Highland Avenue and SR-180 | EB | Left/Right | 965 | AM | 24 | 73 | 49 |
| | | | | | PM | 19 | 150 | 131 |
| | | WB | Left | 630 | AM | 11 | 17 | 6 |
| | | | | | PM | 11 | 118 | 107 |
| 9 | McCall Avenue and SR-180 | EB | Left | 555 | AM | 315 | 185 | -130 |
| | | | | | PM | 100 | 194 | 94 |
| | | | Right | 510 | AM | **821** | 159 | -662 |
| | | | | | PM | 65 | 90 | 25 |
| | | WB | Left | 550 | AM | **983** | **737** | -246 |
| | | | | | PM | 31 | 37 | 6 |
| | | | Right | 630 | AM | **839** | **1,069** | 230 |
| | | | | | PM | 47 | 88 | 41 |

Notes:
EB = eastbound
WB = westbound
Bold text indicates queues extending beyond available storage
Source: TJKM. 2025.

### *Page 3.17-39, "Impact Analysis," First Paragraph*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Response to Written Comments, in the Final PEIR.

> As shown in Table 3.17-8, above, the ~~updated~~ queueing analysis <u>evaluated the potential queueing lengths under project conditions and identified two interchanges where projected queue lengths may extend into the auxiliary lanes: Interchange 1 (Clovis Avenue and SR-180 EB Ramp), which would extend approximately 335 feet into the auxiliary lane, and</u>

Interchange 5 (Temperance Avenue and SR-180 EB Ramp), which would extend approximately 355 feet into the auxiliary lane. Based on consultation with Caltrans, neither restriping nor the use of the auxiliary lane for additional storage is an available mitigation measure to address the queueing lengths. ~~using available storage from the SR 180 auxiliary lane means that the Clovis and SR-180 interchange would not require any mitigation for the future with project conditions. As noted in the Caltrans letter dated August 16, 2024, auxiliary lanes can be used for additional storage. Interchange 1 (Clovis Avenue and SR-180 eastbound ramp) queueing now does not indicate a deficit (not bold text).~~

Therefore, in accordance with the Caltrans Highway Design Manual and project-specific recommendations through consultation with Caltrans, the proposed project would implement MM TRANS-3c, which would require the close coordination between the City and Caltrans to determine at what point the queueing length would begin to extend into the auxiliary lanes identified above during implementation of the proposed project. If queue lengths would extend into the auxiliary lanes identified for the interchanges above, the City would coordinate with Caltrans to implement mitigation consistent with the Appendix B of the Caltrans Local Development Review Safety Review Practitioners Guidance. The proposed project would implement General Plan and Specific Plan policies that implement some of mitigation strategies identified in the Caltrans Local Development Review Safety Review Practitioners Guidance that may reduce vehicle queueing so that the available storage would not be exceeded during buildout of the proposed project. Specifically, both the Fresno General Plan and the SEDA Specific Plan include policies that support the preparation of the transportation demand management programs as called for in the Caltrans Local Development Review Safety Review Practitioners Guidance. General Plan Policy MT-2-g directs the City to pursue implementation of Transportation Demand Management and Transportation System strategies to reduce peak-hour vehicle traffic and supplement the capacity of the transportation system. SEDA Specific Plan Policy UF-8.1 directs the City to develop a SEDA Transportation Demand Management Program consistent with the City's VMT policy. Policy UF-8.1 specified that this program should include physical design credits (i.e., bicycle storage, on-site showers, shared parking), lifestyle credits (i.e., on-site child care, telecommuting, flex hour programs), and credits for auto-alternative programs (i.e., shuttle service, subsidized transit, guaranteed ride home programs).

Similarly, both the General Plan and the SEDA Specific Plan contain policies related to active transportation and investments and improvements to the City's and Plan Area's transit and trail systems as specified in the second bullet above. General Plan Policies MT-1-j, MT-4-b, MT-4-c, MT-4-h, MT-4-l, MT-5-a through MT-5-d, and MT-8-a through MT-8c all direct the City to implement improvements and investments to bikeways, pedestrian walkways, existing and proposed transit systems, and other related features that support active transportation. The Urban Form Chapter of the SEDA Specific Plan contains multiple policies that address active transportation and transit service improvements within the Plan Area in order to create a balanced transportation network accessible to all users. Similarly, the Open Space Chapter of the SEDA Specific Plan addresses the future development of a SEDA Parks and Trails Master Plan, as well as improvements to curb, gutter, and sidewalk infrastructure.

Moreover, as discussed in Impact TRANS-1, the proposed project would implement MM TRANS-1a through MM TRANS-1e, which require transportation demand management strategies to be developed at the project level, implementation of additional transit services, and the inclusion of design elements and pedestrian and bicycle network improvements that encourage fewer vehicle trips.

Therefore, because the Recirculated Draft PEIR is a programmatic document and the timing of specific development proposals within the Plan Area and implementation of the General Plan and Specific Plan policies identified above are unknown, it is too speculative to determine whether and when the available storage will be met. Therefore, MM TRANS-3c is included in the proposed project to ensure that a significant safety hazard related to queueing would not occur. To support the implementation of MM TRANS-3c, the proposed project would also implement MM TRANS-3d, which requires the City to collect development fees from future development projects in the Plan Area to fund necessary traffic safety improvements.

### *Page 3.17-39, "Impact Analysis," Second Paragraph*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Response to Written Comments, in the Final PEIR.

Table 3.17-8 also shows that Interchange 2 (Clovis Avenue and SR-180 westbound ramp)~~, the proposed project~~ already fails in the no project condition, so no mitigation is necessary for impacts related to the proposed project.

### *Page 3.17-39, "Impact Analysis," Third Paragraph*

This paragraph has been removed in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

~~Interchange 5 (Temperance Avenue and SR-180 eastbound ramp), like Interchange 1, utilizes the auxiliary lane to provide enough storage for the left and right turn movements in the project buildout condition. The only mitigation measures needed are for Intersections 7 and 9, where the existing queue length is not enough to accommodate the increased project traffic.~~

### *Page 3.17-40, "Impact Analysis," First Paragraph, Last Sentence*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

In addition, future development consistent with the proposed project would undergo individual planning review at the time of application and additional project-specific environmental review may be required. It is not anticipated that development would

substantially increase hazards due to a geometric design feature or incompatible uses because the City would require review proposed future developments for consistency with applicable regulations, including the policies in the General Plan, designed to ensure safety, during planning review to eliminate any such hazards. Thus, with implementation of MM TRANS-3a, ~~and~~ MM TRANS-3b, MM TRANS-3c, and MM TRANS-3d as well as MM TRANS-1a through MM TRANS-1e, impacts would be less than significant.

### *Page 3.17-40, "Mitigation Measures"*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

The following mitigation measures shall be implemented as necessary through monitoring and coordination between Caltrans and the City of Fresno:

Implement **MM TRANS-1a** through **MM TRANS-1e**.

**MM TRANS-3a** Lengthen the eastbound turning lane to 875 feet and the westbound turning lane to 1,150 feet for the De Wolf Avenue and State Route (SR) 180 intersection.

**MM TRANS-3b** Lengthen the westbound turning lane to 1,075 feet for the McCall Avenue and State Route (SR) 180 intersection.

**MM TRANS-3c** Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall coordinate with the California Department of Transportation (Caltrans) to determine whether the project would result in a potential impact on queueing lengths at either the Clovis Avenue and State Route (SR) 180 eastbound off-ramp interchange or the Temperance Avenue and SR-180 eastbound off-ramp interchange. If the queueing extends into the auxiliary lane of either of these interchanges, the City shall implement mitigation consistent with the Caltrans Local Development Review Safety Review Practitioners Guidance in coordination with Caltrans. This mitigation includes, but is not limited to:

- Implementation of project-specific transportation demand management programs, such as rideshare programs, shared mobility facilities, or improvements to bicycle and pedestrian infrastructure;
- Improvements to existing site-specific active transportation infrastructure; or
- Improvements to ramp terminal operations such as lane reassignment, traffic signalization phasing or retiming, and turn lane extensions.

**MM TRANS-3d** Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall establish a development fee program that shall collect fees from developers of individual development projects within the Plan Area to fund required safety improvements to transportation facilities.

### *Page 3.17-45, Section 3.17.7 – Cumulative Impacts, First Paragraph*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

Proposed project development in combination with future cumulative development in the City could result in localized impacts on the transportation network in the City. It is anticipated that cumulative development would be required to implement similar mitigation measures as the proposed project to reduce potential impacts on the transportation system, although there may be residual significant and unavoidable impacts. MM TRANS-1a through MM TRANS-1e, MM TRANS-3a through MM TRANS-3d, ~~MM TRANS-3b,~~ and MM TRANS-4 would apply to the proposed project to reduce any project-level impacts to less than significant.

### *Page 3.17-45, Section 3.17.7 – Cumulative Impacts, "Cumulative Mitigation Measures"*

This sentence has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Responses to Written Comments, in the Final PEIR.

Implement MM TRANS-1a through MM TRANS-1e, MM TRANS-3a through MM TRANS-3d, ~~MM TRANS-3b,~~ and MM TRANS 4.

## Section 3.18, Utilities and Service Systems

### *Page 3.18-25, "Project Site", First Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

Electrical~~, natural gas,~~ and telecommunications services ~~will~~would be extended to the Plan Area, and be served by the same suppliers.

### *Page 3.18-47, "Objective OS-13"*

This objective has been edited to reflect the updated objective within the SEDA Specific Plan.

Provide electricity~~, natural gas,~~ and telecommunications infrastructure necessary to serve development in the SEDA.

### *Page 3.18-47, "Policy OS-13.1"*

This policy has been edited to reflect the updated policy within the SEDA Specific Plan.

**Policy OS-13.1 Provision of Electricity ~~and Natural Gas~~ Infrastructure.** The City of Fresno shall work with Pacific Gas and Electric Company (PG&E) to provide the necessary electricity ~~and gas~~ infrastructure to serve development in the SEDA.

### *Page 3.18-63, "Electricity, Natural Gas, and Telecommunications"*

This section has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

*Electricity, Natural Gas, and Telecommunications*

The proposed project would not utilize natural gas, so there would be no impacts related to natural gas infrastructure. Electricity~~, natural gas,~~ and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities.

Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical ~~and natural gas~~ service. As indicated in the 2021 Corporate Sustainability Report, PG&E has requested approval for 387 megawatts of additional energy storage from six projects slated for completion by August 2023. These projects will provide "system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand." Telecommunications companies continually expand infrastructure to serve the growing population. These planning efforts take into account growth projections, including the growth under the proposed project. Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity~~, natural gas,~~ or telecommunications facilities beyond those already planned. Impacts would be less than significant.

### *Page 3.18-65, MM UTIL-1f*

This mitigation measure has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

**MM UTIL-1f** At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric, ~~natural gas,~~ or telecommunication facilities be completed prior to project approval.

### *Page 3.18-74 to 3.18-75, "Electricity, Natural Gas, and Telecommunications"*

This section has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

*Electricity, Natural Gas, and Telecommunications*

The geographic context for an analysis of cumulative impacts to electricity ~~and natural gas~~ is the PG&E service area. The context for telecommunications is the City of Fresno and the Specific Plan Area.

The proposed project would not utilize natural gas, and therefore, there would be no cumulative impacts related to natural gas infrastructure. Past and present development has resulted in increased demand for electricity~~, natural gas,~~ and telecommunications services. Electricity~~, natural gas,~~ and telecommunications utilities respond to increased demands in various ways. These may include temporary stoppages or rolling blackouts, extension of existing infrastructure, or construction of new facilities. Each of these utility providers prepares long-range plans to accommodate projected growth in their service areas. For example, PG&E provides annual sustainability reports that outline strategies to accommodate future growth and ensure reliability of electrical and natural gas service. As indicated in the 2021 Corporate Sustainability Report, PG&E has requested approval for 387 megawatts of additional energy storage from six projects slated for completion by August 2023. These projects will provide "system reliability procurement that will help integrate increasing amounts of renewable energy and meet peak summer demand." Telecommunications companies continually expand infrastructure to serve the growing population. These planning efforts take into account growth projections, including the growth under the proposed project. Past, present, and future development has been and will continue to be accounted for in the utility plans, which are updated regularly to ensure continuity of service.

Because the proposed project would not result in unplanned growth, the majority of growth would be infill, and because the utility providers take into consideration all future growth projections in their planning efforts, the proposed project would not be expected to require or result in new or expanded electricity~~, natural gas,~~ or telecommunications facilities beyond those already planned. Cumulative projects would be included in planned growth, and impacts would be less than significant.

## Section 3.19, Wildfire

### *Page 3.19-10, "Objective OS-13"*

This objective has been edited to reflect the updated objective within the SEDA Specific Plan.

Provide electricity~~, natural gas,~~ and telecommunications infrastructure necessary to serve development in the SEDA.

### *Page 3.19-10, "Policy OS-13.1"*

This policy has been edited to reflect the updated policy within the SEDA Specific Plan.

**Provision of Electricity ~~and Natural Gas~~ Infrastructure.** The City of Fresno shall work with Pacific Gas and Electric Company (PG&E) to provide the necessary electricity ~~and gas~~ infrastructure to serve development in the SEDA.

### *Page 3.9-14, Third Paragraph, First Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

> Specific Plan Policy OS-13.1 and OS-13.3 include the provision of electricity~~, natural gas,~~ and telecommunications infrastructure, which may increase fire risks in the area.

### *Page 3.9-15, Third Paragraph, First Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

> As described above, Specific Plan Policy OS-13.1 and OS-13.3 include the provision of electricity~~, natural gas,~~ and telecommunications infrastructure, which may increase fire risks in the area.

### *Page 3.9-16, Fourth Paragraph, First Sentence*

This sentence has been edited to reflect the removal of natural gas from the proposed project in accordance with an updated policy within the SEDA Specific Plan.

> Additionally, as described above, Specific Plan Policy OS-13.1 and OS-13.3 include the provision of electricity~~, natural gas,~~ and telecommunications infrastructure, which may increase fire risks in the area.

## Chapter 4, Other CEQA Considerations

### *Page 4-8, Finding No. 2, Fourth Paragraph*

This paragraph has been revised in response to coordination with Caltrans, as further detailed in *Responses to CALTRANS-2 and CALTRANS-3* in Section 3, Response to Written Comments, in the Final PEIR. MM HYD-3g has been removed in response to the FMFCD comment letter as discussed in *Response to FMFCD-15*.

> Potentially significant cumulative impacts related to cultural and Tribal cultural resources, greenhouse gas (GHG) emissions, hydrology and water quality, transportation, and utilities would be mitigated to less than significant levels with the implementation of MM CUL-1, MM CUL-2, MM CUL-3, MM HYD-2a, MM HYD-2b, MM HYD-2c, MM HYD-2d, MM HYD-2e, MM HYD-3a, MM HYD-3b, MM HYD-3c, MM HYD-3d, MM HYD-3e, MM HYD-3f, ~~MM HYD-3g,~~ MM TRANS-1a, MM TRANS-1b, MM TRANS-1c, MM TRANS-1d, MM TRANS-1e, MM TRANS-3~~1,~~a through MM TRANS-3~~b~~d, MM TRANS-4, MM UTIL-1a, MM UTIL-1b, MM UTIL-1c, MM UTIL-1d, MM UTIL-1e, MM UTIL-1f, MM UTIL-2a, MM UTIL-2b, MM UTIL-2c, and MM UTIL-4.

### *Page 4-8, After "Finding No. 3"*

This section on significant irreversible environmental changes that would occur should the proposed project be implemented has been added pursuant to Section 15126 of the CEQA Guidelines.

## 4.4 - Significant Irreversible Environmental Changes

According to Sections 15126(c) and 15126.2(d) of the State CEQA Guidelines, the Lead Agency must address any significant irreversible environmental changes that would occur should the project be implemented. The proposed project would not result in any significant irreversible environmental changes, accordingly, the following discussion is provided for informational purposes only. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources are not justified.

The Specific Plan is a planning level action that addresses plans and policies covering a planning area of 9,000 acres. Although the general location and type of development can be anticipated based on the guidance in the Specific Plan, until the City receives a development application, the exact location, type of development, and potential impacts are too speculative to be determined. Because there is no specific development project being proposed at this time, a project-level analysis cannot be prepared. Nonetheless, it is anticipated that nonrenewable resources would be used on-site during construction and operation of projects consistent with the Specific Plan, including fossil fuels, water, concrete, steel, and lumber. Accordingly, implementation of the proposed project would result in the commitment of such resources. Sections 3.6 and 3.18 address the commitment of nonrenewable resources. As substantiated and described in Section 3.18, the utilities that service the City, the City itself, and future projects that would implement the Specific Plan are all subject to regulations that are working to reduce the amount of nonrenewable resources that are committed to development projects. The development implementing the Specific Plan would be required to meet or exceed the requirements of the California Building Code and California Title 24 in effect at the time individual applications are submitted. Compliance with these standards would include implementation of sustainable building features, including, but not limited to water conservation measures, energy and water efficient appliances, and energy-efficient heating and cooling systems. These features would reduce new energy demand to a level consistent with or better than other development within the City. Therefore, the commitment of these resources for project development has been planned for the proposed project is not anticipated to consume substantial amounts of nonrenewable resources, such as energy in a wasteful manner, and implementation of the proposed project would not result in significant impacts from consumption of utilities. Therefore, although irreversible environmental changes would result from the proposed project, such changes would not result in significant irreversible changes.

Irreversible changes may also occur if environmental damage would be incurred when development consistent with the Specific Plan was operational, such as exposure to asbestos

or lead based paint, potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment, spill or release of hazardous material or accidental fire resulting from mechanical or industrial failure. However, it is assumed that all development, redevelopment and use of hazardous materials would occur pursuant to applicable laws and regulations. In addition, individual development projects consistent with the Specific Plan would implement mitigation measures, including MM HAZ-2a through MM HAZ-2h, which would ensure impacts related to hazardous material exposure, releases or spills would be avoided. Therefore, this would not be considered a significant irreversible environmental effect or cause irreversible environmental damage.

## Appendix E–Energy Supporting Information

### *Pages labeled 1, 7, and 8*

These pages have been removed from Appendix E in accordance with updated Specific Plan policies regarding natural gas.

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